


JAINA POLITICAL THOUGHT

G.C. Pande

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Jaipur



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Dedication

To My Mother
Smt. Bhagwati Devi Pande
(d. 1980)

in loving remembrance

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PUBLISHER'S NOTE

Dr. G.C. Pande, a renowned Indologist and the former Vice-Chancellor of the Universities of Rajasthan and Allahabad has expressed his erudite views on a little known but interesting Subject-Jain Political Thought. We are indeed indebted to him because this work has helped Prakrit-Bharati, a voluntary non-profit literary body, to pursue its objective of bringing out books on ancient texts and themes. It is hoped that this effort too would evoke interest both among the scholars and the common readers.

We are grateful to Shri Ravindra Singhvi, Shrimati Amila Singhvi, Shri Prithvi Haldea and Shri Arun Shah of Sobhagya Advertising Service, New Delhi for designing, phototypesetting and printing of this book.

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PREFACE

These lectures owe their origin to the kind invitation extended to me by Sri D.R. Mehta on behalf of *Prakrit-Bharati* which has earned a just renown for its service to ancient thought and literature. While I have tried to trace the development of Jaina political thought within the context of ancient Indian tradition, I have also tried to point attention to its universal and theoretical significance.

During the nationalist movement the study of ancient Indian political ideas and institutions was regarded as an important theme of historiography. A number of brilliant authors explored what had been till then a virtual *terra incognita*. As a result it was conclusively established that at one time the Indian tradition did not lack the spirit of political enquiry and experimentation. In the earlier ages the awareness of public life and a habitual sense of freedom were well established. Doubtless with the passage of time political consciousness tended to become increasingly passive and stereotyped with the result that political enquiry became moribund in the early medieval period. With the revival of an active political consciousness in modern times it was natural that an attempt should be made to reappraise the political tradition of the past. Unfortunately while ancient Indian historians have reconstructed the broad outlines of the history of this tradition, political scientists in India have generally neglected its study. As a result what is taught in the departments of political science in India is almost wholly restricted to the history of political ideas in the west.

Thus while a certain amount of historical knowledge about ancient Indian political ideas has become available, it has failed to touch the living political thought of India today, whether creative or imitative. There are obvious difficulties in the task of bridging the gulf between historical and creative scholarship in this area. The idiom of political thought deriving from the modern west is as vastly different from the Indian tradition as is the current political milieu. Nevertheless one may be pardoned for arguing that the foundations of the future can never be secure unless they reckon adequately with the past.

The purpose of the present work is simply to draw the attention of serious students of political thought to the richness and creative possibilities of the Jaina Tradition in this respect. I have made no attempt to delve into chronological problems or textual details. I have only tried to bring out certain broad trends and features of Jaina political thought which appear to be of crucial significance from the standpoint of philosophical theory. I would feel amply rewarded if this work were to evoke some interest in its theme among scholars.

The entire credit for the completion of this work really goes to Sri D.R. Mehta who not only provided the opportunity of delivering these lectures but whose persistence alone enabled me to complete the script of these lectures. That this work should see the light of the day is again due entirely to the efforts of Sri Mehta.

I must also thank my young friend Sri Arun Shah who has helped me in various ways in writing out these lectures. I am also deeply indebted to Dr. G.S.P. Misra on whom fell the burdensome task of correcting the proofs of the book. Finally I must not fail to record my gratitude to the interest which Anupa and Tanuja have taken in the preparation of this book.

June 26, 1984
University of Allahabad
Allahabad.

G.C. Pande

I
APPROACH

By Jaina political thought I mean political thought consistent with the basic principles of Jaina religion and philosophy. The political ideas expressed in avowedly political works by Jaina authors claim to belong to this category but do not exhaust it. Reflection on political reality and ideals in the light of the Jaina tradition indeed constitutes an inexhaustible vein because it includes within itself creative possibilities.

It may be objected that my definition of Jaina political thought is too wide. A good deal of political thought being purely secular and technical would be consistent with Jainism or for the matter of that with any religion. Managerial science, for example, is as compatible with Jainism as is statistics. It would be as farcical to call it Jaina as it would be to call it Christian or Muslim. In this sense modern political thought would scorn to be called Jaina or denominational in any manner since it would like to be classed with the sciences of value-neutral nature.

This objection really springs from a conception of political science which is itself incompatible with the principles of Jainism or any other system of religion and ethics. All religions contain within themselves basic and seminal political conceptions none of which allow our understanding of political reality to be reducible to a merely technical comprehension. This follows from the fact that these basic political conceptions reach us as elements embedded in systems of faiths and carrying with them a force and authority which goes beyond the mere recognition of factual constraints or the persuasiveness of mere reason. All religions conceive man as a moral and spiritual source. None or few of them conceive the life of the state as independent of moral faith, or, on the other hand, as the highest kind of life for man. As a consequence, any purely formalistic or positivistic conceptions of political theory would tend to be irreligious. It is an essential principle of all religions that the wisdom which enables men to resolve the problems and conflicts of practical life and mutual relations can never be adequately supplied by merely empirical knowledge or natural reason. The theory of politics as the authoritative and over-all management of social life, thus,

cannot avoid encountering beliefs which appear to or claim to transcend the bounds of merely positive knowledge. If a species of political theory were to regard all such transcendental beliefs as erroneous or reducible to natural elements, it would be plainly incompatible with religious faith as such.

Jaina political thought, thus, is by definition rooted in a specific religious tradition and excludes a positive conception of political theory. I propose to argue subsequently that this is an advantage, not a limitation.

It may be objected that this would make Jaina political thought unscientific and by running counter to secularism tend to induct fantaticism and communalism in political life. It may be argued further that in view of this, even if a tradition of political thought was sectarian in the past, should we not now treat its old form as only a kind of historical matrix and pick out for emphasis and reinterpretation only its scientific and secular elements ? Or, alternatively, if it is essentially religious, should we not regard it as merely a historical curiosity belonging to an age when the modern scientific and secular conception of politics had not yet emerged or been securely established ?

The first of these objections mistakes a programme for actual achievement. Those who seek to create a science of politics are till now stuck with methodological debates on the one hand and the piece-meal observation of wholly ephemeral and particular data on the other. The high-sounding jargon of much of contemporary 'political science', whether as theory-making or as detailed research, continues to be a transparent cover for its essentially tendentious and ideological character. Nor is this situation accidental and likely to disappear gradually as the new 'scientific enterprise matures. That political theory is or ought to be a science and not a philosophy, is a timeless philosophical opinion. Its roots are philosophical though a social soil in which positive science is given high esteem helps it to flourish. At the same time preferences about values and institutions encompassing political life can hardly be avoided. It is, of course, possible for the political scientist to argue that his own preferences are objective appraisals of purely impirical difficulties.[1] It will, however, be seen in the sequel that this argument is valid only for one aspect of political thought.

As for the objection from secularism, it seems to arise from a mistaken notion of both religion and politics. The toleration of religious differences is essentially a moral principle. It is not a political principle arising out of practical expediency. Were that so it would be reversible with a change of circumstances. Besides, the question of tolerating differences arises also for other spheres than religion. Totalitarian repression has many hues and colours. By the side of militant religious communalism and sectarianism we must place militant economic, political and ethnicist ideologies. It is their

militancy which causes trouble, not the fact that some militant ideologies happen to arise from some religious faiths. The moral principle of tolerating differences constitutes a value which the state ought to respect. In a social tradition where religions have been tolerant and where the state has not been given to religious persecution, it is not necessary to invoke the idea of secularism in order to promote amity and tolerance. Such was the situation in ancient India and the tradition continued with limitation in later times except for occasional outbursts of Muslim or Christian fantacism. Jaina tradition, being an integral part of the ancient tradition of India, does not contradict that basic moral value of tolerance for the sake of which secularism has been advocated in recent times. In fact, leading Indian savants like Radhakrishnan and Vinoba have understood secularism in the sense of "*sarva-dharma sama-bhava.*" In this sense, ancient Indian political tradition may, indeed, be described as 'secular'.

If in one sense in India, traditionally religion tended to keep away from politics, today politics threatens to be a veritable religion, though a religion without reverence. As a result of the national involvement in the struggle for independence and the subsequent and continuing task of reconstruction, the social psyche seems to have become radically politicalized. There is hardly any question of public consequence which is not sought to be decided openly or covertly by 'political' means. From a tyrannical and exploitative foreign government we have sought to move towards an enlightened and democratic self-government but in practice we face a real danger of drifting into a kind of unenlightened demogogy where public opinion, however, generated and canvassed threatens to assume the role of universal arbiter. We are in danger of forgetting to distinguish between opinion and knowledge, interest and value, power and authority. Seeking to move from tyranny to freedom, justice and welfare, we must take care to avoid the quicksands of lawless anarchy, mob violence and mass tyranny.

In this context it is worthy of note that during this entire period of our modern and contemporary vicissitudes, our political reflections have been shaped by the borrowed light of Western political ideas just as our institutional innovations have been similarly inspired. Public leaders as well as university professors have been content to use and paraphrase theories and ideologies as they have been propounded in the west in successive generations. We have neither been original nor critical. Doubtless there are exceptions. Gandhiji's name well spring to anyone's mind. At one stage Jayaprakash Narayan felt and articulated his dissatisfaction with current modes of political thought. Nevertheless, the educated people in India understand by political theory only the ideas associated with Western

thinkers and movements. So much so that historians motivated by patriotism have sought to discover modern ideas and institutions in ancient times as if nothing else could be a title to respectability. By the same logic Westernizers and modernizers have condemned the old tradition of India for being deficient in political ideas.

The fact is that all advanced thinking presupposes a tradition of thought which is itself bound up integrally with the context of social life, culture and philosophy. It would therefore, be a miracle if significant and original political thought could develop in India if it turned its back on the Indian tradition and began its career as an orphan brought up on the leavings of Western thought. I have no hatred for western thought. In fact, I believe in the essential unity of the human mind which transcends its merely historical differences. Nevertheless, it is one thing to savour another's thoughts in critical contemplation, another to be totally dependent upon it in perpetuity.

It may be refutted that the deficiency of the Indian tradition in the sphere of politics is manifest from the failure of the state in India to retain its independence or unity. As Vincent Smith remarked, centrifugal anarchy seems to be the normal condition to which Indian polity tends to revert. The poverty of political thought is similarly shown by the fact that only one original treatise on political science has survived from ancient times, and even that is concerned with statecraft rather than theory. What is more, even this lone treatise was lost for a long time and salvaged like Mohenzodaro only in the present century. True, some historians have managed to write histories of ancient Indian political ideas but none of them has contended that these ideas constitute perennially interesting achievements of the human mind or are in any way relevant to the contemporary state of knowledge. Their only conceivable value could be historical i.e., as gleanings from a past which is now irrevocably gone. In other words, ancient Indian political ideas are merely a class of outmoded beliefs and attitudes. In so far as they constitute knowledge or theory they are crude and elementary and no longer useful. For example, hereditary monarchs and ministers are irrelevant today and the ancient discussions about administrative, economic or military policy appear platitudinous. Since, as already remarked, Jaina political thought is an integral part of the ancient Indian tradition, its study would appear to be an intellectually or practically unprofitable enterprise.

Such disparaging views have been widely prevalent. Prof. Max Muller roundly stated that "India has no place in the political history of the world." Prof. A.B. Keith remarked on the "unwise enthusiam of some writers who have attempted to prove that India made notable contributions to the theory of politics and that consitutional monarchy was early recognized."[2]

Prof. Beni Prasad state that "political theory in ancient India was essentially a theory of the governmental act. It touches but incidentally on the deeper problems of political obligations, foundations of the state, or the rights of man."[3] Similarly Prof. Basham states, though with modifications, that "though India had no formal political philosophy, the science of statecraft was much cultivated. ...." "the problems which form the stock-in-trade of the European political philosopher are answered in Indian texts, but in a take it-or-leave it manner, with little discussion..........." [4]

As an answer to such opioions one may refer to the works of B.K. Sarkar, U.N. Ghoshal and A.K. Coomarswamy. Prof. Ghoshal has produced the best known and most extensive survey of Indian political ideas and maintains that Indians produced "original systems of political thought."[5] It is, however, Dr. Coomarswamy whose writings highlight the essential truth in this context.[6] Indian political thought is in this sense traditional and quite different from modern ideas. It is to be understood in the light of *philosophia perennis* and so understood it constitutes a wisdom *(vidya)* which links the practical conduct of life *(vyavahara)* with the pursuit of ideal ends *(purusartha)*. On the one hand, it is a strategy or *niti* on the other, a moral wisdom *(dharma, vidya)*. Grounded in *agama* or tradition, it is at once Reason or Prudence, Theory and Art. To say, therefore, that the ancient Indian tradition lacked political philosophy or its reasoned discussion and only had practical precepts relating to statecraft, is to be misled by looking at ancient thought and writings from the standpoint of modern concepts and prejudices. The ancients did not classify the *sastras* in the same way as we clarify scientific disciplines today. In fact, such classifications are conditioned by changing historical and cultural circumstances. The traditional classification of knowledge is hierarchical. Philosophy or *anviksiki* stood at the top and illuminated the rest The sacred tradition of spiritual and moral wisdom *(trayi)* came next supplying to the philosophical mind the truths beyond mere reason and experience. The practical science of livelihood *(varta)* came next and finally came the art of govemance *(niti)* which sought to make the pursuit of philosophy, wisdom, and livelihood possible by removing their hinderances and allocating resources suitably. For a full understanding of ancient political thought, thus, one must range over all the four *(vidyas)* and not merely the 'technical works on polity.' This was common enough in the earlier period. The discussions in the *Mahabharata*, thus, range over the different *vidyas* as they do in the Dialogues of Plato. Later on, at least since the *Arthasastra*, the discussions became more specialised and divided into different *sastras*, just as it happened after Aristole in the West. In this situation one finds that methodological

questions are discussed in *aniviksiki*, moral questions in the ***dharmasastra*** which belongs to *trayi* while question of management are dealt with in the *Arthasastra*. Thus the problems which are brought together in modern political theory as one science are found separated according to their level in the hierarchy of traditional knowledge.

We must also remember that if we wish to set up Western or modern formulations of political problems as standards by which to evaluate Indian and ancient discussions, we must be able to show that those formulations are necessary and universal, which would be possible only if a system of political thought could be worked out *a priori*. This has neither been done nor can it possibly be done because no one disputes that political theory always appears to have empirical reference. Owing to the diversity of historical conditions political questions tend to be diversely formulated. Nevertheless in so far as they reach out for moral and spiritual roots, for explanations in terms of perennial human values and nature, they tend to involve considerations of a more universal and stable character. It is this that gives lasting value to ancient insights in political thought.

The complaint that ancient answers are not now found to be always accompanied by adequately detailed reasoning and discussion is simply the result of the defective state of preservation of ancient records. Ancient texts were studied with the help of oral explanations. That method of study continues even now where tradition survives. There is, however, no doubt that a good of the ancient tradition has been lost and the tradition of political thinking has suffered most visibly. The numerous schools and authors who precede the *Arthasastra*. have all been lost and the study of the *Arthasastra* too was interrupted. This is all the more reason why we must ponder carefully over what intimations have been left to us from the past. Pre-Socratic philosophy is similarly available in a fragmentary manner but that does not lessen its significance.

Nor can a general charge of failure be levelled against the ancient Indian state. During the earlier period it did meet the challenge of foreign invasions with considerable success and despite the vastness and diversity of the country the idea of an all-India state was firmly established and realized from time to time. Although wars were frequent they were fought in accordance with a civilized and humane code and the civil populace was sought to be left uninjured. Diverse political forms and institutions were discovered and historically tried. Internal peace and security were firmly maintained as is attested by literature as well as Greek observers. The freedom and rights of the people were respected and Fa-hsien pays a remarkable tribute in this regard. The rulers vied with each other in the promotion of the arts and the sciences. Public opinion expected the rulers

to be not merely efficient administrators and generals but also to be good men, just and enlightened, generous and heroic. Political activity maintained and promoted the fabric of social ethics and culture without seeking to overshadow its freedom by its own modes of power and compulsion.

It is true that towards the end of the ancient period this situation tended to deteriorate especially where the defence of the country was concerned. But this decline was not due to the ancient tradition of political thought, it was rather due to the neglect of that tradition. The ethos of Indian society and culture gradually came to be increasingly other worldly, rational philosophy declined, the *Arthasastra* fell into disfavour, *dharma* came to be interpreted overwhelmingly as the private observance of religious rites and *niti* tended to become synonymous with unprincipled expediency. In short, there was a decline of political virtue along with a growing indifference to the ancient tradition of political thought.

There is one other aspect of the matter which needs to be emphasized. It is common to judge political success in terms of victory but as a matter of fact it would be appropriate to judge it primarily in terms of its steadfastness to Right. *"Yato dharmas tato jayah"*, *"satyam eva jayate"*, are neither meaningless nor wishful thinking. While their true import would be discussed later, it would suffice for the present to say that a victory won by immoral means should certainly not be conducted as a success by any proper political science. It follows that defeats in particular battles or wars or in other forms of political struggle must not be construed as ultimate historical judgements. It is only the giving up of a just cause that can be counted as a true failure. From this point of view the military success of the Turks and the Europeans represents not the failure of the people to remain loyal to their cherished public order but the failure of the rulers entrusted with the task of defending it. That is why such periods of military defeat were followed by periods of national resurgence. It would not, thus, be correct to identify the history of Indian political consciousness with merely military and administrative history.

It is only when the organised system of power in a society is geared to serve the social consciousness of right, that a proper political system can be said to exist. Such a system has doubtless been interrupted in India from time to time but its idea has continued from ancient days and its vitality has been shown by the strength of the Gandhian movement. Hereditary monarchs and court intrigues, aristocracy and fedual oppressions, these are accidents or perversions of the ancient political tradition, not its essential elements which need to be sought in the basic ideas of *dharma* and *niti*. Jaina political thought, thus, stands

for the Jaina version of the ancient tradition which though essentially universal, was revealed and formulated, transformed and debased, in different ancient societies in characteristically specific forms. This ancient tradition should not be looked upon as merely the archaic matrix of modern ideas. It has to be considered in its own right, for its own perennial value. Properly understood it should serve as a curative to the ills to which modern thought is prone.

Indeed modern and traditional modes of thought should not be distinguished primarily on chronological or evolutionary grounds. They are rather two perennial modes of thought which have acquired primacy in different historical ages. Tradition is the handing down of transcendental wisdom by prophets, seers and masters to a special class of custodians and through them to common humanity, usually in symbolical ways. Accepted in reverence, it reveals the order of cosmic principles which constitute the ground of human reality, psychic as well as social, and enables men to distinguish between their lower and higher natures and thus to gain inner self-government and freedom. Society and state are only the external projections of these principles and exist ultimately in order to aid the realization of inner self-government. In contrast, the modern view is egoistic and naturalistic. Man is the centre of its thought and it holds man to be a natural creature acquiring knowledge through his own tentative efforts. Such knowledge is consequently empirical and changeable and merely reflects the causal order of sensible things. It can be an aid to the manipulation of material objects in the pursuit of natural or instinctive ends. Traditional wisdom postulates a moral and rational order which subordinates natural and egoistic men to the spirit seeking its supernatural destiny. Modern thought is the historically changing self-expression of egoistic humanity seeking natural satisfaction through the control of natural forces. In traditional thought what is emphasized is man's spiritual destiny and the moral character of his relations to other men. In modern thought the emphasis is on man's historical destiny and the technological determination of his social being. Whether man is a fallen spirit or a creature of blind nature, these constitute two contrasted but perennially available points of view about man and the universe. It is this distinction that underlies the distinction between the traditional and modern world views. Since the common self-consciousness of man is an admixture of spiritual and natural elements, the distinction really is one of emphasis and direction of seeking and construction.

Despite this radical divergence, there is, nevertheless, a common area which the two views share and this consists on the one hand, of the empirically given world of nature and other men as a realm of causal

constraints, and on the other, of an inevitable sense of imponderable ideals. The former tends to produce sciences offering causal descriptions, the latter systems of moral prescriptions. As a result political thought tends to have a twofold aspect, causal-scientific as well as ethical. While traditional and modern views differ sharply on the way these two are related and on the nature, source and significance of the moral order in politics, they tend to meet naturally when they deal with empirical aspects of political life in so far as they have similar facts before them. Their sharp moral contrast tends to be blurred when they approach purely empirical problems except, of course, for historical differences. That is why although traditional and modern attitudes differ sharply as world-views, it is still possible to see in ancient sciences a stage in the development of modern sciences. In other words, 'traditional' and 'modern' world views are rooted in a pair of perennially coexisting attitudes, though they have become alternately dominant in historical epochs. That is why faith and scepticism, religion and science, social ethics and amoral politics, have belonged to all ages but in vastly different proportions and forms. In past ages positive science had to present itself as a religious tradition, now religion has to claim to be a science in order to be respectable. Thus *Ayurveda* and *Jyotisa* superadd a traditional origin to their basic empiricism. On the other hand, Vivekanand and Aurobindo have sought to formulate the science of Yoga.

An important methodological principle follows from this. In dealing with traditional thought we should not think of it simply as the earlier stage of a linear scheme of historical evolution. It would not do to regard modern thought as presenting the standard form with reference to which the contribution and deficiency of earlier thought have to be judged. In other words, we must give up the method of presenting traditional thought as a mere history within a single and absolute chronological order. No doubt tradition has a history in the sense that it is manifested in generation and in this process undergoes inevitable change.

It is also true that its pristine and authentic 'form can not be fully understood without the application of historical criticism to ancient texts. At the same time, tradition must be recognised to be a symbolically expressed system of knowledge and wisdom which is really preserved authentically only within a living social tradition which practises and contemplates it, and which has a perennial and universal value independent of its history.

Jaina political thought, thus, needs to be examined as a specific version of traditional thought which itself seeks to express universal and timeless principles given in moral and spiritual experience, especially in its heightened form available to seers and sages. These principles constitute

an integral philosophy in which the socio-political order is linked to the ethico-spiritual order as hierarchical parts of a cosmology. Rooted in a universal vision, the Jaina tradition is found embedded in a specific history. In approaching it, then, one must seek to be just to its universality as well as to its specificity. Its philosophical integrity must be placed by the side of the deficiencies of our historical knowledge.

The state has a well-recognised duality. On the one hand, it is a system of coercive power, on the other, it is a system of moral authority. Its commands are not only backed by force but by right. In other words, it somehow spans and joins two distinct orders of being, the order of positive reality and the order of moral reality. Now the tendency of modern thought is to empahsize the former and treat the latter as somehow derivative. The empirical study of behaviour is held to provide adequate knowledge for its understanding and control. Moral ideas are themselves sought to be traced to psychological sources. In this situation tradition becomes irrelevant as an independent source of knowledge. Tradition is, in fact, relevant in modern thought only as a source of historical knowledge. Even historians treat it critically. Scientists look towards the future and try to follow Whitehead's advice to forget the founders of their disciplines.

The relevance of tradition, on the other hand, lies in its claim to communicate an eternally subsistent body of knowledge which lies beyond the ken of merely natural humanity and the recognition of which imposes categorical imperatives on human consciousness. In archaic, ancient and mediaeval thought political authority was, thus, held to be derivative from the traditionally communicated system of imperatives.

Competent investigators like Hockart who have examined the nature of kingship in the archaic period of humanity have shown that political power was then sought to be derived from divine power. Ritual was held to enable the king to represent symbolically and magically the majesty that belonged to the gods especially to the Sun God. Such a king was obeyed because in obeying him it was believed that one would be obeying the law given by a superhuman power. It was similarly the belief of the ancient Egyptian and Semitic societies that God is the original Soverign and that law ultimately derived from Him. On this view neither social order nor political authority can be conceived except in relation to a God-given law. In a way, this is the most fundamental idea of the traditional theory of politics. Doubtless its abuse and perversions have made it distasteful in modern times but then just as kings have abused the power claimed on behalf of a superman law, so have dictators abused the power claimed on behalf of the people. The question really is how does power acquire moral authority? What is the ultimate nature and source of law?

According to the traditional view, these questions cannot be answered except in terms of transcendental principles which can be known only from a tradition of a revealed knowledge or wisdom.

Four different conceptions of such a tradition may be distinguished. The Vedic tradition *(Nigama)* was believed to be eternal and uncreated. It was held to exist in a verbal form from beginningless times. In its orthodox form this was an indefensibly irrational view. Its philosophical version conceived the *Veda* as the eternal self-revealing Word or *Logos*. The second conception of tradition made it a revelation vouchsafed by God to a prophet. Such is the belief held by the Jews and the Muslims. For the Christians Jesus Christ himself is both God and the Man, the incarnation of the Word. The life and teachings of Jesus constitute a supernatural revelation within history. Here God and prophet are, as sources of revelation for men,no longer distinct. A similar view may be discerned in the Saiva and Vaisnava traditions. In the Saiva tradition Siva himself descends to the human plane as Srikantha, or Lakulisa etc. In the Vaisnava tradition God incarnates in human form several times.

Quite different is the conception in the *Sramana* tradition in its various branches. Generally they all agree in referring the tradition to the teachings of exceptional human beings who have attained supernatural knowledge by their own effort as well as the guidance they received from their spiritual predecessors. The *Samkhya* tradition traces itself to an original self-enlightened sage Kapila. The Buddhists trace their tradition to the Enlightened One. Later on they came to believe that individuals may become enlightened without participating in tradition but the founders of tradition appear only once in an aeon.

We have thus four different senses of tradition as an uncreated and impersonal verbal tradition, as the revelation received by prophets from God, as the Incarnation of God, and as the communication of wisdom by enlightened sages. All of these agree in so far as they regard the essential content of the tradition to lie in a wisdom which is not available to man by virtue of his natural facilities. The ideal meaning of tradition, thus, may be said to be in every case timeless and transcendental. The differences arise from the conception of the word and of God as a person.

In India the different views came to crystallize around the two basic notions of Word and Person. The Brahmanical or orthodox opinion regarded the Vedic word to constitute the original tradition or *sruti*, relegating the other scriptural or holy compositions to the status of *smrti* All that sages or humanly incarnated divine persons have said is part of *smrti* and derives its authority from the *Veda*. *Nigama* and *Agama*, *Sruti* and *Smrti*, Revealed Word and personal communication, these constitute

the two aspects of *Amnaya* or tradition. Now the Jaina tradition called *Agama* or *Sruta* does not accept any uncreated or divine word. For it words are human communications and while the human soul is innately divine, no supreme personal God or Creator exists. The tradition of supernatural knowledge, thus, is the tradition of enlightened human spirits. In so far as a man has a spiritual nature, he is capable of attaining transcendental knowledge, even omniscience. It is only a few persons, however , who actually reach the stage of omniscience. The Jainas recognise twenty-four such omniscient Founders of tradition *(Tirthamkara)*, the last of whom was Mahavira. While the full wisdom of these sages cannot be communicated in words, part of it can be and has been.

It is believed that the *Purvas* existed as a Sanskrit canon even before Mahavira. The Teachings of Mahavira were remembered in a verbal form by his disciples beginning with Indrabhuti. The canon was now an oral tradition in the spoken tongue in twelve parts. Gradually much of it was lost and the rest had to be compiled and edited from time to time till it was redated in its present form in the 5th century A.D. at the Council of Valabhi. The Digambaras, however, believe that the original canon has been completely lost. All the Jaina sects are agreed that the twelfth anga called *drstivada* which included the *Purvas* was wholly lost.

The Jaina view of tradition presents a number of interesting and original features. It makes a clear distinction between tradition as perennial wisdom which may be inwardly realized and its verbal communication which is not only partial but a fragile historical tradition. It consequently lays stress on the need for understanding the verbal tradition in the proper spirit especially with reference to the principle of *Anekanta* and *Syadvada*. Thus even though it rejects the Vedas as a merely worldly tradition and as the composition of un-enlightened person, it still believes that for a person with an enlightened point of view, even these worldly traditions may be of use in the process of acquiring wisdom.

We may divide the history of the Jaina canon into two main phases -- canonical and post canonical. During the first phase Jaina tradition was interested primarily in the formulation of a religious and ethical world view which sought to provide an alternative to the traditional Vedic view. The Vedic view of society and state was theocentric, cosmological and hierarchical.The Jain view replaced the role of gods by an autonomous and universal moral law. It similarly replaced the role of priests as the repositories of transcendental wisdom by the order of mendicants.The ritual law and symbolism which enveloped socio-political reality giving it meaning and authority in the Vedic tradition stood disenchanted in the Jaina view, which appealed to conceptually and psychologically formulated

moral values. If fully followed out in practice the Jaina dissent should have tended to create a society and a state based on wholly spiritual and moral principles without regard to the force of vested social interests structured around egoism and passions, to a society of self restraining laity and monastic order free from violence of any kind, in short, to the fourfold *Samgha* in its ideal purity. In practice,however, such a society could not be achieved without the attainment of a high degree of moral perfection by a much larger number of persons than could possibly have been available. The result was an increasing compromise with the older social tradition and the gradually emerging new forms of political organisation and thought. As a result the post-canonical Jaina tradition formulated its political views in treatises which were similar to the Brahmanical works on *niti*. It is true that the great Hemacandra traces the origins of Jaina political theory calling it *Arhanniti*, from the Teachings of Mahavira who is himself said to have back to the times of Rsabha and Bharata. Nevertheless, the canonical records of such dialogues and earlier history have not survived for the earlier period, from which we have a record of the socio-ethical views of the Jainas which were in conflict with the traditional Vedic views and tended in their political attitude to favour an enlightened aristocracy freed from its accustomed violence. In this *Agamic* phase Jaina political thought is an alternative to Brahmanical *rajdharma* just as in the post-canonical phase it presents a variant of the tradition of *niti sastras*.

II
THE VEDIC HIERARCHICAL THEORY AND ITS JAINA CRITIQUE

The earliest Jaina sources reveal Jaina tradition to have been one of world-renouncing monks who rejected the authority of the current Vedic tradition as worldly and basedon false view. Now the Vedic tradition was undoubtedly worldly in the sense that it provided through its ritual system and socio-ethical codes an accepted direction and justification for the normal worldly life of the people, social, economic and political. Jainas, on the other hand, implied that this mode of justification put a premium on worldliness, an undoubted evil. They also implied that the very principles appealed to in the Vedic tradition rested on error.

Perhaps one may be disposed to offer a simple explanation of the Jaina criticism, which if true would make it largely irrelevant from the standpoint of political thought. One may say that since the Jaina tradition was primarily a monastic tradition, it compendiously disregarded the problems of secular life within which the activities of the state lie. Its attitude, thus, amounted to the ignoring of political life. Such an attitude can hardly be counted as a species of political thought. Thus Dr. Beni Prasad wrote that the Jaina *sutras* "are concerned far too much with eternity and salvation to trouble themselves with this ephemeral existence" and that "to the student of governmental theory the *sutras* as a whole are rather disappointing."[1]

It is true that the Jaina canon places eternity above ephemeral existence, as will doubtless be done by all right-minded persons aware of the distinction between the ephermeral and the eternal. Nevertheless, it does not follow that the temporal and eternal aspects of reality can be considered or understood in isolation. Even if eternity gives meaning to time, one cannot help living in time and arranging temporal affairs in order to prepare for eternity. Again, while man prepares for eternity, eternity remains for him only a matter of faith and this faith comes to him only as a temporal or historical tradition.

It is for this reason that the early Jaina canon is concerned not simply with the soul but also with matter. It prescribes not merely the conduct of

the monks but also of the laity, though it is true that much of the canon has been lost and the loss presumably is heavier with those texts which did not directly deal with matters of interest to the monks. We have to remember that in the earlier stages the texts were not preserved as written books but only as oral tradition which the monks had to memorize. It would be natural for their forgetfulness to concentrate on the area of least interest to them. The fact is that although preserved principally by the monks, the Jaina tradition drew its founders from the ruling aristocracy. It upheld not only the ideal of monastic life as the highest ideal but also the ideal of riqhteous living in society including the ideal of the righteous ruler. Like Buddha, Mahavira did not despair of advising the rulers of the time and, as mentioned before, it is to one such occasion that Hemacandra traces the beginnings of *Arhanniti.*

In thinking of the Jaina doctrine of renunciation and the Jaina institution of mendicancy, we must also think of the challenge which it implied to traditional society in the 6th century B.C. While the distinction between eternal and temporal existence was well known in the Vedic tradition which then regulated society, the conclusion that this justified the renunciation of the world without further ado was wholly repugnant to that tradition. In the beginning and for a long time the Vedic tradition had no place for the renunciation of the world in a categorical manner. The institution of the *Brahmacarya* and *Garhapatya* constituted the anciently recognised scheme of life. Later the idea of repairing to the forests made its appearance in the Vedic tradition but the purpose of such retirement was to meditate over the mysteries and symbolism of ritual. Although economic life was renounced in this *asrama,* family and ritual were not wholly abandoned. The recognition of mendicancy as an *asrama* was tardy and completed only in the age of the *sutras.* This was in all probability the acceptance of an influence from the *Sramana* traditions.[2] I may mention here that the usual opinion from Jacobi to Kane holds a contrary position, which I have disputed elsewhere.[3]

The Vedic tradition thus came to recognise mendicancy only in a limited manner by making it a coherent part of its ritualistic and activistic conception of life at once social, moral and religious. Jaina mendicancy was totallly at variance with such a conception. In the Vedic conception the eternal and the temporal are not contradicatory since the temporal is merely the manifestation of the eternal. Eternal being is personal ***(Purusa)*** and willingly creates the world out of itself. This makes the created world a limited representaion of the eternal and gives to it the character not only of present sacredness but also the self-transcendence of a sign and symbol. The world is divine and life sacred and yet everything in it must be

understood as the finite representation or mark of the infinite and eternal. Right living is thus, living in accordance with *Rta* or eternal law. *Rta* and the will of the Gods are two aspects of the same reality. Gods do not will arbitrarity and the primordial law implicit in their will is merely their nature in so far as it forms the ground of determination and regulation. In this sense it is the true natural law.[4]

Being and power, law and wisdom,coalesce at the divine level. At the human level, however, neither is natural wisdom equal to natural law nor will always guided by wisdom. Man, thus, needs to be educated and guided and to be practically reminded of the law. To act rightly man has to act in accordance with the celestial paradigms. He must think of the Gods and act in conformity with their ways. The sacrifice was conceived as the representation of the primal creative act of the Gods. The creation of the world represents an act of self sacrifice by the divine person. All human acts have to be basically acts of self-sacrifice, so that they may be in tune with cosmic creativity and the order of social life may conform to cosmic order. Right living and ritual living thus tend to coincide.[5]

Ritual reminded men of their role in organized social life and gave validity and authority to social organisation itself by linking the natural and instinctive life of man with the divine and supernatural order. For example, the ritual of marriage transforms it into religious and moral act, something which lies beyond the mere living together of a man and woman by liking or consent. The ritual is not a mere proclamation of any natural fact, of a habitual situation, of consent or of social recognition or approval. Whether a habitual relation or consent, individual or social, that will still remain a merely natural fact. The mere inclination of the mind through desire or calculation, simply or in agreement with others, does not lift any action or relation above the natural or merely causal-temporal plane. Ritual,on the other hand, gives it a sacred character, conferring authority and obligation, not in accordance with natural powers but in accordance with what is right. Ritual accomplishes this task by representing what is right and its efficacy depends on the actual immanence of the transcendent divine.

Ritual consecration is no different in the case of economic life. Agriculture, for example, was required to be preceded and followed by appropriate rites; not for magical effect but for the appropriation of technological activity within the consciousness of value. Doubtless,magical effects find mention in ancient texts but they are merely a variety of *arthavada*, the real consequence of ritual being transcendental. Magical effects may actually exist. Some popular accretions of ritual may even represent primitive science. Nevertheless,the purpose of farming ritual is not to gain a gratuitous bonus but to correctly orient the farmer, to

transform the *homo faber* from a *homo economicus* to a *homo sapiens* truly speaking. Even if one thinks of nature as dead and technology as simply the extension and application of positive knowledge, it must be admitted that such activity needs to be placed within the context of man's spiritual universe which is sought to be brought home to him by ritual.

Let me repeat. Essentially speaking, ritual is not magic but a device for promoting anamnesis. It does not automatically create order but reminds man of right order and because that order is immanent in consciousness, it regenerates man into it inwardly. Symbolic action, normative representation or idea, inward eduction, these are the basic constituents of ritual. It is a mode of practical education which guides the self-consciousness of its participants as sharing in a sacred order which pervades social life and gives it meaning and authenticity.

The Vedic theory of politics is simply a part of this general theory of *Rta*. Just as law is a celestial paradigm, sovereignty really belongs to the gods to Varuna or Mitra-Varnua or Indra, or, in later language, to the Immutable the Inner Monitor. It is through ritual, especially of coronotion that the king acquires authority by functioning as the earthly representative of heavenly law. Since the priests were the experts and ministrants of ritual, the king's authority depends on them in a real sense. It was fundamental to the traditional Vedic view that the king could not be his own priest, nor the priest, the king.[6] In this respect the Vedic view shows a profound difference from other versions of the ancient tradition. It makes the division of priest and king fundamental and at the same time places the priest above the king in point of respect without giving to the priest any temporal authority. The priest represents divine wisdom and knowledge which ought to guide the king who represents divine will and power. Political authority and social order rest on the union of the two where the priest should provide guidance on principles while remaining detached, the king should respect the law and listen to advice.[7] The priest is the custodian and interpreter of law which is expression of transcendental wisdom, at once religious and moral. Since he is expected to cultivate wisdom and 'wisdom is a thing apart' he must not be involved in the pursuit of wealth and power. The king, on the other hand, is the custodian of the operative order of security, justice and welfare. He is expected to cultivate heroism, discipline, and selflessness. To maintain order he must himself abide by law. His commands have authority because they are in accordance with law as declared by the priest. Vedic political theory may, thus, be called cosmological, hierarchical and ritualistic. This view is adumbrated already in the *Rk Samhita*. The famous *Purusa sukta* speaks of the spitit *(Purusa)* manifesting itself and

of the human body politic as being created out of the cosmic person with the same powers and functions. The cosmic person is conceived in terms of four faculties and these are hypostatized into Brahmana, Rajanya, Vaisya and Sudra. In other words the social order of the four *varnas* is seen correspond to a fundamental division of cosmological principles. There is a correspondence between what obtains cosmically *(adhidaivatam)* and what obtains socially *(adhibhutam)*. Cosmically the mouth or speech is the power of revelation and wisdom. Agni, Brhaspati, Mitra, symbolize this power. The priesthoodcorresponds to this at the social level. The hands of the cosmic person refer to the power of willing and commanding including the protecting of the law and gaining victory over Darkness at the cosmic level. It is the power of Indra or Varuna and is representedsocietyby royalty. The sustaining or supporting power signified by the things at the cosmic level is the 'herding' and nourishing power of plural gods like the Maruts. It is at the social level represented by the multitude of the common people. The feet of the cosmic person refer to the power of sustaining by ministering to needs. The Gods Pusan and the Earth illustrate it at the cosmic level and at the social level the Sudras represented it.

In this social fourfold or its earlier version of a threefold consisting *Brahma, Ksatra* and *Visah*, there is a division into the ruler and the ruled. The rulers consist of the upper two *varnas* and the ruled of the rest. It was not originally conceived as the three caste system but rather as the specification of two offices which together directed and ordered the multitude. The similarity of this division to the Platonic has been remarked more than once. "The three parts of the soul (or body politic) thus evidently correspond in hierarchy to the *Brahma, Ksatra* and *Vis*, is respectively the Sacerdotium, Regnum, and Commons of the Vedic tradition (in which the Sudra is represented by the asuras) and there can be no possible doubt of the superiority of the sacred to the royal character.[8]

The union of *Brahma* and *Kastra* corresponding to the unity of Mitra-Varuna is in psychological terms the unity of cousel and power. *Kratu-daksau ha va asya mitravarunau. Etannvadhyatmam. Sa yad eva manasa kamayata idaṁ me syad idam kurviyeti sa eva / kartur atha yadasmai tat samrddhyate sa dakso Mitra eva/Kratur Varuno dakso brahmaiva mitrah Ksattraṁ Varuno abhigantaiva brahma karta Ksattriyah"* (S.B. 4.1.4.1.). The correspondence of the cosmic and the social extends to the psychic. 'Whatever one wills by the mind, that this is what I should do', that is Kratu. And that by which it succeeds the *Daksa*. Mitra is Kratu, Varuna is Daksa, Brahma is Mitra, Ksatra is Varuna, Brahma is the knower, Kastriya is the executive (*Karta*).

It will thus be seen that the cosmos, the body politic, the individual psyche, all three exhibit a corresponding order. The victory of Indra with the guidance of Brahaspati over the chatoic Vrtra is paralleled by the victory of the king under the guidance of the priest over unruly elements within and without the State. At the psychological level, too. the ego must be subordinated to the inner monitor, the will directed by wisdom so that the unruly multitude of the passions may be subjugated. At all three levels similar principles operate for a similar purpose. In the outer government the common people engaged in labour and production are prevented from becoming unruly multitudes and assisted in their fulfilment by the ruler who exercise power under the guidance of priestly wisdom. The resultant order and prosperity correspond to the inner government of a wise and energetic person who is able to keep his passions under control. In both cases the same principle operates, viz. the wisdom flowing from the spirit is able to direct energy in such a manner as to avoid unruliness or chaos. The spirit by its nature tends to impose a law on the moving diversity into which it creatively pours itself, as if to maintain its own integrity at every level. The immanent unity of the spirit at the human level seeks recognition as law and love. If those who rule are guided by those who have spiritual wisdom the social world would attain a deep harmony and true happiness.

In the course of its development the Vedic tradition gradually tended to give up the mythical mode of articulation and tended to substitute it by a more philosophical mode. It resolved the diversity of gods into the unity of *Brahman* and the concept of *dharma* overshadowed that of *Rta*[9] Both *Brahman* and *dharma* were more unified and more impersonal than the plurality of Gods and their ways. *Dharma* was now conceived as the law which God maintains cosmically and reveals to man through the *Veda*. The Bṛahmanas have the privilege of teaching the *Veda* and directing and officiating at the ritual, which enables one to practise Vedic wisdom i.e., to live ordinary life in its spirit of dedication. Although the mere contemplation of truths might be sufficient for highly developed persons, living by traditional rituals was necessary for most. This required the preservation of order by the king in terms of its priestly understanding. Even those who accepted the autonomy of the gnostic way for some specially qualified persons, argued that common life depended on *Pravrtti Dharma* known through Vedic revelation and *rajadharma* formed a part of this. Thus Manu lays down that the Vedic tradition is activist and is relevant for man so far as he is neither led away by passions and instincts nor wholly beyond them.[10] The man who wants but seeks to regulate his wants is the proper subject for the ritual tradition.

Despite changes of philosophical terminology and sophistication,the Vedic tradition of political theory remained essentially unchanged and may thus be summed up in the following three propositions:-

(a) *Dharma* is the sovereigns (*Ksatrasya Ksatram*)[11]

(b) *Dharma* is revealed by the *Vedas*[12]

(c) The *Veda* is preserved and taught by the Brahmanas under whose direction the king should administer the country.This may justly be described as a hierarchical theory.[13]

Now it is well known that the Jaina tradition which was Sramanic and anti-Brahmanical questioned this Vedic theory at the crucial points viz.,the authority of the *Veda* and of the Brahmanas. It did not question that a transcendental law existed or that temporal authority must ultimately justify itself with reference to that law. It accepted that *dharma* is the real sovereign and has a cosmic sweep. Earthly law in so far as it is just is merely a human attempt to follow *dharma*. It follows that rulers to one subject to Natural Law but following the Natural Law is not like following a codified positive law where the person who judges and administers the law does not need to have any moral qualifications. at least in so far as he is not directly affected by his own administration. One can discern and fearlessly act by *dharma* only by being a moral hero. The secret of good government does not lie in any intellectually intricate science to be acquired by research or cleverness. Good Government is not simply a non-morally efficient government based on technical expertise and efficiency. Good government is simply and essentially government by the good. The action of the government is not a species on non-moral behaviour. merely a set of means to be judged simply by their adequacy without reference to the moral quality of the ends they promote. The action of rulers is a species of moral conduct to be judged by universal moral standards and it is of essence of moral conduct that it depends not on the 'natural ability knowledge and training of the agent but on his inward preception and discipline. The rulers are to be obeyed by the people not because of the threats and promises implicit in such obedience, not yet because such obedience is generally useful or an implicit or original promise but because the rulers act by the same law which is binding on the people. It is the law which is to be obeyed. To avoid violence or greed or deceit is,for example, an obligation for every human being equally whether he is a ruler or is being ruled. Every one must rule himself in accordance with the moral law and with respect to others is entitled only to perform his moral duties. Political authority and obedience have no special or privileged status. They are simply corresponding parts of a common moral set-up of which the basis lies beyond mere human

calculation or instinct.

Everyone must learn his duty and have wisdom adequate for this purpose. The only persons who can be helpful advisors in this are those who have reached a stage of heroic moral perfection. Such are the great foundation of the Jaina faith and their true followers. Such also were the great philosophical rulers of past ages. The priestly class is certainly not qualified to act as the moral or philosophical counsellors of the rulers or for that matter, of the common people. Nor is their tradition recorded in the *Vedas* any more reliable. The *Vedas* themselves are merely a human tradition which has besides become corrupt in the course of time.[14]

The Jaina tradition, thus,rejects not the traditional moral view of politics but the sacerdotal view of morality and the hierarchical view of politics. The Jaina view is not to be constructed as an other-worldly indifference to politics as merely ephemeral. The careful subordination of the ephemeral to the eternal is the only rational way of organizing the ephemeral. What the Jaina view, therefore, opposedand was not merely indifferent to, was amoral or immoral politics of which the proponents, as much ancient as modern, held that the worldly good of men was the only good or was atleast independent of any non-worldly good and that it could be secured by the use of political power, if it were organised rightly and right politics followed. That Jaina view is to be understood not merely as the rejection of the hierarchical view but also asthe simultaneous rejection of the secular-scientific view of politics. The relative simplicity and bareness of the Jaina formulation and its freedom from the encumbrances of intricate data springing from institutional or hypothetical considerations,is not the result of ignorance or indifference but rather the result of an uncompromising moral outlook.

The Jaina outlook towards the state was thus developed in opposition to the traditional Vedic outlook as also the relatively newer *Lokayata* outlook. Often modern authors attribute the anti-brahmanical attitude of the Jainas to the fact that the founders of the Jaina faithcomefrom the Ksattriyacaste. This couldhave been a factor of possible relevance but the real ground of opposition was theoretical. TheJainas did not accept the reality of a universal person or consciousness such as *Brahman* or Isvara, who could be regarded as responsible for the creation of the world and thereforepresumablyby virtue of his gracious nature responsible also for enlightening it, and for this purpose revealing the knowledge which would save mankind. Neither did the Jainas accept the *Vedas* as the revelation of God, there being no God, nor did they accept the Veda as a self-existent revelation, which was the current Brahamanical view. TheJainas rightly distinguish between knowledge and the words through which it is

expressed[15] They also distinguish between perfect spiritual knowledge and the knowledge which may be acquired from words[16]. Finally, they distinguish between the knowledge which different persons may gather from the same set of words on account of a difference in their attitudes and approaches. In the Vedic tradition true transcendental knowledge of moral and spiritual truths is aquired by hearing the Vedic words from an appropriate Brahmanical teacher. Four stages would seem to be involved in this process–the original expression of ideas into words, the preservation and communication of the words and their meaning from generation to generation, learning the verbal communication, understanding its meaning. In the Vedic tradition, however, the first of these is not admitted because the Vedic word is impersonal and the original source of transcendental meanings. This is not admissible on Jaina view where words must be some person's words from the start. Beyond this, however, the problem of exact communication and accurate understanding is common to the Vedic as well as the Jaina tradition. The Brahmans, however, claim a greater degree of preservation for their tradition, which may be admitted as a fact. The Jainas have shown at great length that the *Mimamsaka* arguments for the uncreated and impersonal character of the *Veda* cannot be rationally accepted.[17] They have questioned the linguistic, semantic and epistemic theories advanced by the Mimamsakas in this connection. This philosophical controversy, however, belonged to an age later than that of the Agamas.

In the age of the *Agamas* the Jainas rejected the authority of the *Vedas* and their priestly exponents because they contradicted the tradition of their faith in point of doctrine as well as conduct. Authority belongs to pure spiritual knowledge which cannot be obtained without renouncing worldliness and violence. Since the Brahmanas followed a tradition which apparently endorsed both worldliness and violence, they could not be regarded as the custodians of wisdom of deserving of ethical esteem.

The authority of the Brahmanas was particularly tied up with the performance of ritual. As a matter of fact, this authority continued in practice as far as the ritual attending the course of individual life was concerned but it gradually lost its moral force and tended to became a matter of convention, ritual itself becoming overlaid by customs of a popular origin. At the public level, especially the level of the state, the continuance of the ancient ritual tradition as a solemn and necessary element tended to be interrupted early in the post-Vedic age. While the hypothesis of a significant and general conflict between the Ksattriyas and the Brahmanas in the later Vedic age may be said to be unproved, there is no doubt that a ruling

aristocracy based on birth had now grown up side with a hereditary priesthood and that this aristrocracy did not regard rulership as just an office deriving its authority from merely priestly ritual. The aristrocracy was proud of its birth and claimed rulership by right[18]. It also claimed philosophical wisdom or at least interest in patronizing philosophies, Brahmanical as well as non-Brahmanical. Many of the Ksattriya clans in north-eastern India are known to have treated the Brahmanas with scant respect. An additional factor undermined the significance of ritual in politics. This was the rise of a new kind of monarchy in the 6th century B.C, which ran counter to both the priestly as well as the aristocratic conceptions of politics. The new monarchy from Ajatasatru to Chandragupta Maurya relied on power and its clever use rather than on the magic of ritual or legitimacy conferred by birth. It also relied on the advice of 'political scientists' and administrators rather than priest skilled in Vedic lore and ritual.

With ritual ceasing to be an operative philosophy of public life, its guiding ethos or *dharma* and need to be formulated and codified more explicitly. The Brahmanas attempted this task in the *sutras*, propounding at the same time the scheme of the *varnas* and *ashramas*. This work depended on traditional material but such explicit codes were apparently new. Within this scheme the king was held to be an aristocrat by birth and the aristrocracy was regarded as a class privileged to act as a soldiery. At the same time, the Brahmans had the privilege of declaring and interpreting the law which the king was required to follow. The law itself sought to regulate the general affairs of society, and in particular the relations of the different classes. The king was required to appoint and consult the Purohita or royal chaplain. With the *varnashrama dharma* was, thus, evolved the doctrine of *rajadharma*, the duty of the king. It consisted briefly in using force against the law-breakers at home and enemies outside, in dispensing justice according to the advice of the Brahmanas, and in patronizing the Brahmanical religion and its priests. The king was conceived primarily as a fighter, a hero in war.

The Jaina conception of *dharma* was entirely at variance with this. The Brahmanical tradition conceived the nature of *dharma* as command or imperative, albeit impersonal and Vedic.[19] In the famous definition of Jaimini *dharma* is, thus, defined as a good known from Vedic imperatives. Veda commands and what it commands is *dharma*. By implication that is right which is in accordance with the law available in the Vedas directly or indirectly through the *smrtis*. Against this was the Jaina view, *Dharma* is basically virtue which is grounded ultimately in the spiritual nature of man. Moral conduct, thus, becomes conduct in accordance with and conductive to

spiritual life. Spiritual life itself is a life of detachment, purity, peace and above all non-violence. To be good or to follow *dharma* is to be spiritual. Rightness does not depend on a pre-existing law. A law is right when it follows from the purity and spirituality of the mind.

Thus while the Brahmanical tradition required man to follow the law as codified in the *smrtis,* the Jainas required them to follow the ideal of a spiritual person. They do not set up two different standards of conduct, one for private citizens another for kings. It is the duty of the kings to be morally good as it is of every one else. The Jaina view in its contrast from the Brahmanical comes out most clearly in the famous dialogue of king Nami with Indra.[20] Nami becoming enlightened decided to opt for renunciation and moved out of his capital at Mithila. This decision upset the people naturally and the God Indra assuming appropriately enough the form of a Brahmara sought to dissuade the king from his resolve. Indra aruged that the king ought to look after the city and its protection before thinking of renunciation. He ought to construct palaces and buildings, establish peace by punishing thieves and robbers; conquer other independent rulers, perform sacrifices and give alms. What is more one can be a good man, even a householder. The duty of collecting wealth from the kingdom also should not be neglected. From the speech of Indra one can easily see the current opinion of king's functions and duties. Against this the royal sage Nami argues that while Mithila was burning it did not affect him. He was unattached and inwardly alone. For him the city to be protected consisted of faith. The only palace which needs to be constructed must be where one has to go ultimately. The infliction of punishment is quite often unjust, and the true conquest must be over oneself. Self-control is superior to all alms, no wealth can satisfy desires. It follows, therefore, that instead of seeking wealth and power one should seek faith and knowledge. Instead of engaging in war one should be master of one self. The Jaina tradition mentions a number of other famous ancient rulers, rulers who like Nami renounced the world and their kingdom.

At another place[21] we are told how the famous king Srenika of Magadha went on a pleasure trip and meeting a young mendicant asks him the reason for his renunciation. The monk mentions that he had no protector, which amused the king who thought himself the protector of all. The medicant, however, proved to the satisfaction of the king that the king himself lacked protection. Suffering is the lot of all men inevitably.

If the Jainas rejected the current ideal of kingship, they rejected at the same time the pretensions of the Brahmanas, who were full of caste pride, engaged in violence and sensuality, and entertained false opinions. They hated the lower castes. For the Jainas on the other hand even a *candala*

could be an enlightened person.[22] The true Brahmana deserving of esteem can only be on the basis of character, disciplines and austerities. The distinction of the *varnas* really rests on *karman* and Brahaminhood is nothing except the adoption of spiritual life.

We find thus that in the early Jaina writings, as in early Buddhist writings, the Brahmanical social order based on birth is rejected in favour of one based on function. Similarly the lowest castes are entitled to spiritual attainments. Brahmanahood is interpreted spiritually, sacrifice too is similarly reinterpreted.

The current evils in the life of royalty and aristocracy were boldly condemned. The ruling aristocracy was addicted to hunting, drinking meat-eating, sensuality and fighting. The epics establish this quite clearly. The Jainas upheld for the kings and nobles the moral ideal of self-control culminating in renunciation. That kingship could be renounced when one became old, had been recognised earlier. It is now contended by Jainas that kingship was not a necessary duty and that one could renounce it whenever one sought a higher destiny. In other words the Jainas rejected the so-called *Asramacatustaya*. Kingship is no more than a limited office. What is more, it is never wholly good, since it involves one in violence and injustice.

The assumption in the early Jaina canon is that there is no moral necessity in the political order which is one of violence more or less. It does not believe that kings are necessary to avoid social chaos and anarchy Social disorder arises from the lack of adequate moral and spiritual discipline among individuals. Kings cannot inculcate such discipline, they can only instil fear or use violence. The moral discipline of men in society depends on the instructions and examples of enlightened persons like true mendicants and sages. Security and justice depend on morality, not on polity. It is violence that is the source of insecurity and injustice. The political order does not eliminate violence. On the contrary it creates organised violence in the shape of wars. The essence of punishment is simply social disapproval. The need to use more violent punishments can only be due to moral decline, organised punishments being simply another aspect of crime. The prevention of crime can only be achieved morally, not politically.

It is true that Jaina teachers sought to instruct kings and nobles, but they instructed them in ascetic self-discipline and promise no worldly success. They did not seek to establish their mendicant order on royal alms or support. In fact, they tabooed the food given by the king for the monks.[23] It implied that king's gifts are tainted by violence. It is also implied that the social support for the Jaina mendicant order was assured.

We see, thus, that in contrast to the current Brahminical tradition of law, kingship and the social order, the Jainas advocated radically new views. For

them rightness depended on being spiritual, not on a law code; kingship could not avoid evil, nor the kings evade common moral duties; war and violence of all kinds needed to be avoided; the social order was neither divine nor natural. For the Jainas the ideal society would consist of the fourfold *sangha*.

III
POLITICAL IDEAS AND ETHOS IN THE AGAMAS

It seems to be common belief now-a-days that the happiness and improvement of mankind depends specially on the creation of an ideal social and political order. This has been a widely current belief in many civilizations such as the Western and Chinese. The great Greek philosophers held that the highest life of man could not be realized except in an organised state. For them, as for Confucius, ethics and politics are essentially continuous, being only abstractly distinct within the concrete life of man in political society. In India, too, some traditions of thought approached this socio centric outlook thought only partially The Vedic tradition mentioned earlier saw a continuity between the worldly and other-worldly happiness of man, *Abhyudaya* and *Nihreyasa* The common source of both was conceived to be the fulfilment of duty or *dharma* which was formulated in terms of a social order. This tradition, however, emphasized the spirit of duty rather than actual social consequences which could serve as a feedback to the formulation of duty. In fact, it looked upon the social order as divinely ordained rather than as humanly created. As a consequence society and social life, while valuable, became on this view essentially symbolic. As already mentioned, the symbolism was reflected in ritual.

The other ancient tradition which had a socio-centric tendency was represented by the *Lokayata* school which was wholly secular and materialistic. Not much is known of the origin of this school, but its importance in the age of Mahavira is undoubted. This school is said to have denied the existence of the soul and of any superhuman knowledge or revelation. They held the maximisation of pleasure to be the chief end of man and regarded the king as the sources of all laws and a visible God on earth. They believed in sense perception as the sole sources of knowledge, and questioned the possibility of any necessary laws or conclusions which may be rationally reached.[1] In their empiricism, hedonism, secularism, and stateism, the ancient *Lokayata* school is strongly reminiscent of modern views. Nevertheless the absence of any idea of historical and social evolution differentiates their conception of the state from modern views.

This *Sramanic* view represents a sharp reaction to such socio-centric or secular views in which the society and the state loom large as the externally available saviours of man.

In the *Sramanic* world of thought human happiness is determined by a transcendental cause, viz, the past *karman* of the individual Each individual is subject to his own separate destiny. This invisible force of *karman* working by immutable laws is accessible to a transcendental wisdom. Of all the *Sramana* sects, the Jainas have recorded this transcendental science of *karman* in the most detailed manner in their traditional writings.

The Jainas, thus, rejected the *Vedas* as well as the *Arthasastra* as sources of right guidance. The *Nandisutras* include these within a comprehensive list of types of false knowledge arising from words - *mithyā śruta*[2]. These are the products of intellectual constructions which seek to be self-reliant, and disregard the tradition of transcendental wisdom. They are *'sacchanda-buddhi-mai-vigappiyā'* The same description may be seen in the *Anuyagadvara* where these, the Vedas and the *Arthasastra* are placed within *'loiyam no-agamao-bhavasuyam*[3] They do not arise from the perfect spiritual knowledge of the Kevalins, nor from their verbal communication as traditionally recorded.

The Jaina view stands on three pillars viz., *Atmāvada, Lokāvāda* and *Kriyavada*[4] Man is a spiritual being enmeshed in matter and sorrounded by a world of material bodies inhabited by souls of different grades of perfection and imperfection. Man is not the ruler of a material world to be exploited for his pleasure, for such exploitation only degrades the spirit and inflicts injury on the souls which inhabit organic and inorganic forms of matter. In seeking material purpose man simply enmeshes himself in matter.

There is, however, another aspect of this situation.Man is endowed with the fredom of action and his actions are performed in a morally ordered world. Morality is universally held to require freedom as well as order. Modern thought cannot reconcile the idea of individual freedom with the determinism of natural and social science. and it cannot but think of order as an unrealized human idea, something to be tentatively discovered and gradually realized in social history. Freedom and order, thus both have meaning only in a historically evolving society rather than for an individual and spiritual being.

The source of this dilemma is the absolutization of the idea of natural science and the solution sought is in terms of history which is held to fulfil social being. The Jaina alternative is in terms of the transcendental science of *karman* which simultaneously ensures freedom as well as order. The

innate freedom of man as a spirit is not circumstantially constrained and its acts operate with psychically and cosmically fixed responses. In so far as man's self-awareness is not fully spiritual, he acts within a matrix of freedom and constraint and finds himself the subiect of experiential vicissitudes which leave him puzzled and suffering. In this situation it is natural for him to seek freedom but his search can succeed only to the extent to which he is enlightened by a spiritual tradition.

The Jaina conception of freedom, thus, is that of the autonomy of the spiritual will which is characterized by selflessness, tranquillity, *steadfastness and energy in the face of temptations posed by egoistic* impulses and external objects. In other words, freedom can only be gained by a moral discipline which holds spiritual reality to be the sole ideal or standard. Any other conception of freedom or of moral discipline can only be a perversion of truth and an abuse of words.

In the Brahmanical tradition *dharma* comprised not only universal moral obligations and virtues but also a differentiated system of specific rights and duties, at least part of which was meant for recognition and sanction by the state as a legal system. Inpoint of fact, a varied system of traditional rights,civil and political, existed in ancient Indian society, which was largely of popular origin, though part of it was formulated in Brahmanical law codes. The Jainas like the Buddhists did not seek to replace this traditional system of law and institutions by any comprehensive alternative. It may,therefore, be admitted that the early Jaina canon does not evince any systematic interest in the reformulation of legal and political institutions. Nevertheless, it does reflect over ideas and values which involve the state and connect it with a general philosophy of life. While its main interest may be correctly described as religious, its conception of religion was comprehensive enough to include the whole of life. This was particularly the result of its moral outlook which requires a radical rethinking and revision of all modes of practical life including the political.

The Jaina faith recognizes one absolute and unconditional right, that of life. It is not a right created by law, nor, indeed, does law recognize it to be unconditional. Respect for life is a universal obligation inscribed in the heart of every moral person.To a certain extent this is admitted by all ethical, social and political systems but many of them subject it to significant restrictions. Indeed, all political systems presuppose the justification of killing as punishment and of killing as part of a soldier's duty. Practically all legal systems recognize the right to kill in self defence. What is more the right to life is generally conceived only in the context of human life.

In Jainism the respect that is due to a living creature includes respect for

its life, happiness and freedom.[5] Killing, inflicting injury and pain, compulsion, all these are modes of *himsa* and violate the respect due to living beings of all orders, from the microscopic to the human. The Jaina principle of *ahimsa*, thus, has a characteristic and unique comprehensiveness since it prohbits the use of force in any manner against any form of life. In its comprehensiveness the principle is apparently inconsistent with ordinary secular life. The Jainas themselves realized this and held that while the monks ought to seek to realize *ahimsa* fully, the man of the world or householder could follow it with limitations. It is this limited principle of *ahimsa* which ought to form the guiding principle of legislation and policy.

To recapitulate, the Jaina conception of freedom is that of spiritual autonomy ideally speaking, which can be fully realized only in the society of perfect saints. It is also an assertion of free will and moral reponsibility for every man. The search for ideal freedom or the moral exercise of free will requires the adoption of two basic rules viz., of selflessness and noninterference. Both the rules follow from the recognition of the spiritual nature of the self and its sameness in all. The monks seek to follow them with limitation. From the same basic principles, thus, the monastic order emerges as a purer and more spiritual society while the common worldly society represents for the moral person a limited approximation wherein he has an opportunity of training himself till he is ripe for renouncing the world.The recognition of the moral and practical code of a house-holder constitutes a general principle of guidance for the state. This code of *upasaka dharma* morally binding on the individuals is simpler and more universal than the Brahmanical codes. It does not seek to prescribe those activities towards which men are inclined by nature, nor does it engage in the task of allocating duties according to class or caste. Again it does not prescribe the obligations which men accept by convention or contract in the pursuit of common activities, whether in the course of mystic life or civil society. It certainly is not a code imposed by the state as law. Yet the *upasaka dharma* has a moral direction and a concrete practical content which is flexible and capable of development in response to changing and varied situations. It is thus of the highest significance for the moral regneration of society. The present day *Anuvrata* movement is an example of its power. Jai Prakash Narain had once spoken of the need to move from *Raj Niti* to *Loka Niti*, implying that it is a mistake to think of improving society by the action of the state; what is needed is to improve the state as well as society with the initiative of the people. If we think of the people who would revolutionize society as a group of persons dedicated to selflessness and non- violence, we would have in many respects an image

of the Jaina lay community. It is hardly an accident that Mahatma Gandhi came from an area where the tradition of Jainism is strongest in India.

We have thus the following conceptual scheme. The recognition of the spiritual nature of the self *(atman)* leads to the search for freedom from passions and of the need to discipline them. At the same time the recognition of the spiritual equality of all beings *(atma-tula)* leads to the ideal of *ahimsa*, the practice of which provides the rules morally holding together the fourfold *Sangha*, which is co-extensive with Jaina society. It would follow from this that the essential principle of human conduct and society is the recognition of the self as a value lying beyond the instinctvie processes of nature and the recognition of similarity between oneself and others. Although in their ignorance men tend to disregard these principles, rational reflection prepares them for such recognition for which assistance is always available from the tradition of spiritually enlightened persons. The basis of society as a moral association *(dharma-sangha or arya-sangha)* is thus, not instinct or force, but spiritual recognition deriving from rational reflection as well as a tradition of faith.

The wider society within which this moral association is found actually embedded, appears to be ruled by egoism, instinctive passions and force. The sense of 'I' and 'Mine' coupled with natural instincts and emotions hold together the family. The same sense of 'I' and 'Mine' joined to physical needs and the acquisitive instinct lead to the institutions of economic life. Built on such egocentric impulses, it would seem that human society would naturally tend to founder on the rocks of conflict and violence unless it were saved by the force and authority of the state.

This was a view which was strongly advocated by the newly growing science of *dandaniti*. The old Vedic tradition had always emphasized the need of a supreme governing power -*ksattra*, which would keep society in order even as Indra keeps the cosmos together by subjugating the chaotic forces of Vrtra. This view is based on regarding human nature as containing an inevitable element of evil compounded of selfishness, greed and aggressiveness. Orderly and peaceful human society would, thus, necessarily require the use of a supreme force or sovereign power in society. It is human evil, then, which requires the state for its correction. This idea of human evil engendering the chaotic violence characteristic of anarchy and requiring correction by the sovereign power of the state, was widely prevalent in ancient times and was to a certain extent accepted by the Buddhists as well as the Jainas. Jaina canonical texts refer to good and evil cycles of time called *Utsarpini* and *Avasarpini*.[6] Later texts detail a tradition which attributes the origin of punishment and coercion to the simultaneous growth of greed in men and niggardliness in nature. This led

to altered modes of interaction and organisation, culminiating in the institution of the coercive authority of the state. Unlike the Buddhist *suttas* the early Jaina canonical texts do not contain any clear or explicit account of such a theory of the origin of the state. It is, however, not unlikely that such a theory was not unknown to them. The incidental references to time-periods and mythical or legendary empires of the past and to types of *dandaniti* in the *Thananga,* for example, suggest such a conclusion. It is true that this particular text being a list of terms was easily amenable to later additions and interpolations and one cannot argue for the antiquity of everything found in it. Nevertheless, while the details of the evolution of society and state may belong to the post-canonical period, there is no doubt that the Jainas like the Buddhists drew upon an ancient mythical and cosmographic tradition with which historical legends were also mixed up in course of time. Such a tradition formed the basis of later Puranic accounts, Brahmanical as well as Jaina. The extant Puranic literature is late but it is undoubted that there was an ancient Puranic literature which existed side by side with Vedic literature. The basis of the references in the Jaina canon is likely to lie in this ancient tradition of which the details cannot now be ascertained.

In any case, it does seem that the idea of attributing the origin of coercive power in society to the fallen nature of man, is an ancient one and even though unproved to be an original principle of early Jaina teaching, it appears to have been generally acceptable to it. The important thing is that the general idea of the connection of evil, anarchy and sovereignty was differently interpreted and intergrated in the different traditions.

The Jainas believed that the soul is by nature pure and perfect but owing to the force of delusion, passions and *karman* incarnates and undergoes *samsara*[7] It follows that the spiritual fall which is presupposed by human nature is transcendental, not temporal. Possibly it is this ideal fall to which the myth originally refers, though the memory of transition from primitive simplicity and its 'moral order' to the 'order of civilization' could also have been compounded with the essential idea in the course of its mythical representation.[8] Despite its ideal fall the soul in its human incarnation, is not wholly subject to evil. It is undoubtedly subject to the force of passions but it is also endowed with reason and free will. What is more, the tradition of spiritual knowledge cannot be said to be unavailable to it, the absence of the state does not imply an absolute absence of society, leadership or spiritual enlightenment. Good and evil, reason and passion struggle in human nature and it will be a wholly one-sided exaggeration to paint the natural condition of man as one of ruthless anarchy redeemable only by soverign power. The fact is that while the state *along with other*

institutions is a support to the life of virtue, it is not in itself an unmixed evil. Violence continues in civil society and in some respects even assumes greater proportions by becoming organised. The very institutions of family and property which seek the protection of the state, themselves flourish on violence. Whether more lives are lost in anarchy or in war, is a moot point. In any case, even the anarchy of which people have historical experience is largely created by the debris of a political fabric or the elements seeking to create a new political order. In short, within the imperfect conditions of human life as actually given, the state functions as a habitual condition of moral life and although in this sense it is indirectly good, it is at the same time necessarily evil on account of its coercive nature. Nor is this morally mixed institution an essential or ultimate conditon of the highest type of human life, which is that of spiritual realization. Morally, thus, the state has value as well as disvalue.

The *Thānaṁga* (5.192) states - "*Dhammannam caramānassa pañca nissātthānā pannattā, taṁ jahāchakkāyā gane rāyā gāhāvatī sariram* The person who practises the path of virute is known to rely on five supports viz., the six types of living bodies, gana, i.e. *sangha* or republic, the king, the householder, and the physical body. The first of these refers to the usable factors in the natural environment, the second and third to political authority in the two modes then current viz., republic and monarchy, or alternately, the second refers to the authority of the spiritual association, the third to that of the state where *rāyā* includes both the republican chief or *gana-rāyā* as well as the monarch or *raya* simply. The fact is that the word rāyā is used diversely because in actual practice it was applied diversely.[9] The word gana too was used in both senses referring to the republican clans as well as the religious order of the faithful. The fourth support of virtuous life is the economic support extended by the moneyed *householders who were often merchants or producers. The last support*, one's own body, is the most indispensable, connecting the individual with the environment, natural as well as social. *"Sariram adyaṁ khalu dharma-sādhanam."*

It is clear from this that political power in its various forms was recognized as one among several preconditions of moral and religious life. Following from this it was further recognised that obedience is rightfully due to political authority where relevant. This comes out clearly where the five transgressions of Asteya are mentioned in the *Uvasagadaso*. The passage runs thus *"Tayāṇāntaraṁ ca naṁ thūlagassa adinnādānaveramanassa pañca aiyūrā janiyavva na samāyariyavvā, Taṁjahātenāhaḍe, takkara-ppoge, virudharajjaikkame, kūda-tulla-kūdamāne.*

tappadirūpaga-vavāhare". Here *viruddha-rajjaikkame is one of the* transgressions to be avoided by a member of the Jaina lay community. This phrase was later on clearly understood to mean 'acting against the authority of the king,' though an earlier interpretation took it to mean the crossing of the boundaries of other kings. Thus the comentary on *Tattvartha* says "*Viruddhe hi rajye sarvam eva steyam ādānam bhavati.*" All acceptence becomes theft if it is in contravention of the state.[10] The late Jawahar Lalji Maharaj pertinently pointed out that what is referred to here is not the king but the state, *rajja*. What is prohibited here is a transgression against the state, not simply disobedience of the ruler or only the unauthorised crossing of frontier posts to avoid the payment of dues. The avoidance of taxes and other dues within the boundaries of the state is also prohibited under this rule. Thus although *viruddha-raijā-ikkame* may have a territorial and economic emphasis, it does imply that the authority of the state within its territories and boundaries must be obeyed as a moral rule even when it imposes finacial dues which a merchant may be specially tempted to evade. Such evasion is here considered the moral equivalent of theft.

It should be noticed, however, that obeying the king *per se* is not treated here as a moral obligation. The king has the right to taxation and this ought to be respected as part of a moral conception of property. In the first place property has to be respected and it is this that makes *adattadana* a form of behaviour to be desisted from i.e., a moral rule formulated negatively. The emphasis is not on the inherent respectability of property but on the restriction of acquisitivness. Possessions are basically an encumbrance or *upadhi*. 'Not accepting what is not given' recognizes individual possession and at the same time prohibits forcible interference with individual possession. It is in this context that the present rule of *viruddha-rājjā-ikkame* recognizes the right of the state to interfere with individual possession by levying dues and lays down the moral obligation of not evading such dues.

This is in line with the generally accepted ancient principle that since the king has the duty of providing protection to life and property, he is rightfully entitled to levy taxes. As to the extent and mode of such taxation, issues which have loomed large in modern political thought, we have to remember that these were determined by customary law in ancient times, a law which may be seen reflected in Brahmanical canonical law. Although in practice the taxes varied according to time and place, they tended to follow custom even though they might be formally sanctioned by charters issued by ruling authorities. The character of the Jaina canon rules out any detailed reflection of such laws. In the commentarial literature, however,

incidental references may be traced. The *Avasyaka Niryukti*, thus, mentions eighteen types of taxes which may be compared with those mentioned in Brahmi inscriptions.[11] The *Vyavahara-bhasya* mentions the traditional 1/6th of the produce as tax.[12] Taxes on houses and commercial commodities are also referred to, gifts made to the king and exemption granted by him find mention in canonical writings. These are factual notices arising from the general conditions of the time, but as mentioned above, there is also an acceptance of the right of the state to levy diverse kinds of taxes along customary lines. The protection provided by the state to property and business was in effect the principal type of security provided by the state.

The practice of *dharma* by the monk involves the acceptance of gifts and the vow of non-stealing is obligatory on both monk and lay man. Neither gift nor non-stealing has meaning in practice if the law of the state does not provide sanction for property. If law does not regulate the exchange of goods, how are gift and theft to be distinguished objectively? *"Viruddhe hi rājye sarvam eva steyam ādānam bhavati."* What, again, would be the meaning of using standard weights and measures and supplying goods of proper quality in proper amounts? Objectively, these are rules of business honesty which presuppose an authoritative standardization of commercial practice requiring the state.

It is necessary to distinguish the subjective and objective aspects of these rules. Their subjective aspect regulating motives and intentions seeks to make individual conduct moral. Their objective aspect facilitates and structures collective behaviour. These two aspects are the *bhava* and *dravya* aspects and are subject to the distinction of *niscaya* and *ayavahara nayas*. Thus the definition of *himsa*, the root evil, has two parts, viz., the presence of *pramada* or wrong attitude, and the infliction of injury to life. Egoistic passions are inherently other-disregarding and constitute *bhava-himsa*. The infliction of injury positively as *āghāta* or negatively as *pratibandha* on any aspect of vital activity physical, vocal or mental, or breathing etc. - constitutes *dravya-himsa*. It will be obvious that a limited acceptance of such *himsa* is inevitable in social life. The rules of such limitation take into account the connection of external behaviour with internal motivation. While they arise from moral consciousness or *bhava-ahimsa*, in so far as they apply to *dravya-himsa* especially *sthula-dravya-himsa* they become susceptible of behavioural definition and theoretically at least, of sanction by the state. The freedom of thought, speech and action and the right to adequate means of living in an unpolluted atmosphere are inherent in such regulation which may permit the freedom of preaching one's views but not abuse and slander, permit the surgeon to use his knife

and anaesthesia but not the pollution of the city atmosphere by factory smoke. The Jaina advice to the householder in this respect lists five transgressions to be avoided - *bandha* or the forceful restriction of another's movement, *vadha*, or striking, *chaviccheda* or injury to limbs, *atibhararopana* or putting excess load on men or beasts, and *annapana-nirodha* or obstructing the availability of food and drink. These do not simply apply to the private individual within his household. Nor do they have to be interpreted literally and narrowly. From the point of view of *bhava-ahimsa* they must be interpreted widely. It is true that kings and officers at that time - as indeed at other times and places – tended to follow a system of cruel punishments and we must remember that despite modern penal reforms there is still no limit to the ferocity of the state when it feels itself threatened or is moved by an inhumane ideology. Nevertheless,the attitude in the early Jaina canon deprecates such cruelty in the penal system and, indeed, tends to place the policemen and executioners as parallel to the robbers and murderers. It similarly describes war as mere brigandage,onlymore organized and on a larger scale. The advice implied in the concept of the first of the *Anuvratas*, thus, certainly applies to the rulers just as it applies to wealthy merchants. It applies to all of them in so far as *upasakas*, seekers of spiritual truth and moral virtue, are still engaged in social activity.

The question may be raised that such moral advice cannot be regarded as political thinking which ought to be concerned with devising impersonal and institutional ways of improving the laws and regulating political behaviour. This objection has force only in a very narrow and trivial sense of politics. Fundamentally, one may argue that there are no non-moral solutions of political questions which arise from the conflict of interests. Like Plato and Confucius, Buddha and Mahavira also hoped for an ideal society through the agency of enlightened rulers. Their political thinking, therefore, has a broad moral, not a narrow technical orientation. The unity of ethics and politics follows from the fact that the psychic and physical components of behaviour have to be co-ordinated and regulated together. Similarly individual action has to depend on collective organisation as well as material means. This is clearly implied in the concept of the five presuppositions of moral life mentioned above. The state is an element within a complex system of social and environmental conditions subserving a moral end which lies beyond it. Unless the rulers act by moral ideas, how can their action serve the cause of general morality even indirectly? Jaina canonical thought thus recogniszes the need of the sovereign in the context of the practise of dharma. It also implies that good government depends on the moral goodness of the ruler. Nevertheless, it does not idealize

sovereignty as such and in this departs from the Vedic or Confucian view which makes the king unite heaven and earth, and also from the Western idealistic tradition for which the state is the highest realization of the moral idea. For canonical Jaina thought while the king is required for moral life, his actions can never cease tobe taintedby the evil of force or *danda*. The state could be called a necessary evil on this view which nevertheless must be distinguished sharply from any kind of modern individualism. The use of natural powers does not in itself constitute any good in Jaina thought. Such a search only stregthens spiritual delusion. Consent reduces the element of force but does not eliminate it.

Force or *bala* has been conceived in the canon as a fourfold viz., as *bala, vīrya, purusa-kāra* and *parākrama* (*Thanaim*, 5.70). *Bala* is physical force, *virya* is spiritual or soul-force, *purusakara* is the human sense of free-will dependent on the ego-sense, *parakrama* is its expression in action. These represent the diversification of energy issuing into activity at different levels of being spiritual, psychic and physical. The basic conception of action has been defined as the movement of a substance, spiritual and material -- *"devve kiriye janayā"* (*Suya*, 2.2., *Niryukti*, 166, p. 203)." Human action combines both and is either the increasing attachment of soul and matter or its opposite. It is thus basically of two kinds, *dharma* and *adharma*. *Dharma* is what is conductive to inner peace, *adharma* what is conductive to restlessness. These are ideal distinctions which are mixed up in different proportions in ordinary human practice. In so far as it proceeds from the involvement of the soul in matter and leads to violence towards the ubiquitous principle of life, it is called *danda*, force or violence. It has been classified in various ways in the canon. The most important of these varietiesis *arthadanda*, i.e. the use of force to gain some end. The condemnation of this form of *danda* is a rejection of the usual principle governing political behaviour viz., that the end justifies the means. Punishment, and war, the two fundamental forms of governmental action are thus usually justified by this principle. A similar justification is also given for rebellion,revolution and other such means of seizing power. The Jaina view, however, is clear. Violence remains evil.

Those who are engaged in the pursuit of wealth and power and value the satisfaction derived from this kind of life are classified as violent and evil persons who are destined to go to hell. Mahavira predicted that even a ruler like Bimbisara was destined to be born in hell.On account of the taint of violence and worldliness attaching to the rulers, the Jaina monks were advised to keep away from them and their entourage. It was, thus, deemed a violation of monastic discipline if a monk were to avail of certain facilities coming from the king, *rajapinda*. The *Thanamga* (5.101), thus, de-

clares *rājapindam bhunjemāne* as an *anugghatiya*. guilty of a major offence. The *Dasaveyaliya* (3.3) describes *'rayapinde kimicchaye'* as unacceptable. The *Nisiha* (9.1-2) prescribes a penance for the acceptance or use of *rajapinda* . *"Je bhikkū rayapindam genhati genhantam vā satijjati Je bhikkhū rayapindam bhumjati bhumajamtam vā satijjati/"* The king is defined in the commentaries in this context as an emperor who is properly crowned and possesses the fine jewels - *Jo muddha-abhisitto pancahi sahito pabhunjate rajjam/ Tassa to pindo vajjo tavvivariyammi bhayana tu//*[13] Ordinary kings are here excluded from the rule. *Pinda* itself is defined as consisting of food, drink, clothes, vessels, blanket and duster for the feet. The reason mentioned is that such facilities are likely to run counter to the austerity and purity of monastic life. If the interpretative tendency of the commentaries were to be accepted, the prohibition of *rajapinda* would really be a prohibition where the adjective *raja* would be unnecessary. The gifts of a wealthy merchant could also violate austerity and purity in the same manner. The monks were, in fact, advised to keep away from kings, their household, processions, festivals and the different types of alms they provided on various occasions. They were to avoid the nearness of kings and their officers. It was held to be a violation of monastic ethos if a monk sought to win the acquaintançe or nearness of kings or officers.

Thus according to the canon although kings are required for the practice of *dharma,* their own practice is tainted by *dharma,* and the monastic order ought to avoid all specific dependence on their favour or patronage. The Jaina attitude is in this respect quite different from the Brahmanical and the Buddhist. The Bhramanas claimed spirtual independence of the rulers but demanded patronage from them. The Buddhists were at least willing to accept royal gifts and hospitality. The Jaina preserved their independence of the state most stringently and in the long run this undoubtly helped them to maintain in themselves despite political vicissitudes. The Jainas, however, did seek to advise the rulers and hoped that enlightened rulers would be a help to the cause of *dharma*.

In this connection one may note the view expressed by Dr. Ghoshal that Jaina thought looked upon kings as a special class of divinity, from which followed the obligation to obey them. This is a plain case of misunderstanding. In the canonical text *Thananga* (5.53) it is stated *"Pañcaviha deva pannatta, tam jaha-bhaviyada-vva deva, naradeva, dhammadeva, devātidevā, bhavadeva"* The fifth refers to actual gods the first to those who are destined to be gods in the future. The third refers to those who are 'gods by *dhamma*' i.e., teachers, ascetics etc. The fourth refers to those who exceed the gods i.e., the *arhant*. The second refers to

'gods among men' i.e. kings. The word *deva* is here used metaphorically as it is used in the case of *dhammadeva*. As the metaphor itself is conventional *(rudhimulaka)*, we have here as a matter of fact merely the transcript or *anuvada* of a popular opinion. The strictly Jaina view was quite contrary to this and may be seen in *Dasaveyaliya*. *"Taheva meham va naham va mānavam na deva-devatti giram vaejjā"* (7 & 52). One should not address a man as a *deva*. He is no more a *deva* than is the cloud or the sky *deva*. The *comy* says *manavam rajanam..... devam iti no vadet, mithya-vada-laghavadi - prasangat.*"[14] This view thus contradicts the then popularly current view which would like the king to be u eated as a divinit Historically, till Ashoka one finds ancient Indian kings claiming the favour of gods, not divinity. The period of foreign rule in the post-Mauryan period appears to have introduced the notion of royal divinity into India. Thus although political authority is required for the practice of moral life in view of the evil tendencies in unregenerate human nature, the coercive character of political action unavoidably taints it also with evil. For this reason in the decidedly early parts of the canon, we find the rulers not adulated as saviours of society but castigated as involved in violence and sensuality. Their importance is recognized in the sense that their conversion to spiritual life is held to be of crucial significance to society. The *Suyagadamga* parable of the lotus pool and the central lotus which is sought to be plucked by many brings this out in a striking manner. The king is the lotus in the centre of the pool and the various teachers and preachers seek to convert him as the chief prize. Similarly although the *Uttarajihayana* says unflattering things about royalty it does regard advising the great kings of the time and their conversion memorable.

The reason for this was not any fear of anarchy, nor any dependence on the king as a veritable divine saviour but the belief that the ruling and aristocratic classes constituted the hightest and most esteemed class in society giving it leadership. The Vedic view which placed the Brahmanas on top is here replaced by a definitely aristocratic view. The *Thanamga* (3.32.35) thus, describes three classes of men, superior, middling and low. The superior class includes three sub-classes: men of virtue *(dharma-purusa)* or *arhants*, man of possessions *(bhoga-purusa)* or *cakravartin* men of action *(karma-purusa)* or *vasudevas*. The middling class includes the *ugras*. the *bhoas* and the *rajanyas*. The lowest class consists of the slaves *(dāsa)*, hired employers *(bhrtakas)* and the sharecroppers *(bhāillagu)*. The middling class is explained by the *Avasyaka-niryukkti* (198), thus *"Uggā bhoga raiṇṇa-khattiya sangaha bhave cauha/Arakkha guru- vayamsa sesā je khattiya te u//*. The *ugras* were the officials in charge of protection, the *bhojas* were the

priests and the *rajanyas* were the companions or counts. Apart from these specially distinguished as such in the system which Rsabha is said to have instituted the rest were Ksattriyas.

For the early Jaina view social leadership rests squarely with the Ksattriyas. Not only are they the ruling class, the highest spiritual leaders must also come from within them, although such leaders must renounce the world. The social and spiritual leadership of the Brahmanas is thus replaced by that of the Ksattriyas, although the separation of temporal and spiritual offices is still maintained. In early Buddhist literature we find the same expression of a pro-Ksattriya outlook. This tradition may be traced partly to the emergence of a Ksattriya tradition of wisdom in the later Vedic age and partly to the ethos of the Ksattriya clans or republics which flourished in the Janapada age. *The Upanisads* tell us of Ksattriya rulers who not only patronized philosophers but were themselves reputed savants. Janaka of Videha, Ajatasatru of Kasi, Pravahana Jaivali of Pancala, Asvapati of Kekaya, are some of the celebrated names. The name of Krsna Devakiputra occurs as that of a seeker if not as that of a teacher. It has been suggested that his teacher Ghora Angirasa may have been identical with a celebrated figure in Jaina tradition with a different name. The interest of Ksattriya rulers and republics in philosophy continued in the age of Buddha and Mahavira. Bimbisara and Ajatasatru, Prasenajit and Udayana, even the materialist Paesi evinced as keen an interest in the wandering philosophers of the age as the Sakyas, the Mallas, and the Licchavis. The Buddhist *Samannapala suttanta* and the Jaina *Suyagadamga* present glowing evidence of the interaction between philosophers and the aristocracy of the age. One is reminded of Athens in the 5th century B.C. and even of Western Europe in the 18th century. Pravahakna Jaivali speaks of a wisdom which was exclusively Ksattriya. This was the *Pancagni-vidya* which linked life, death and after-life in one continuous round of natural sacrifice. Here the Sramanic doctrine of reincarnation is found joined to the Brahmanical doctrine of sacrifice and at the same time teaching a Yoga which came down to him as a Ksattriya tradition-*rajarsi parampara.* This *Yoga* is *karma-yoga* which transforms the whole of life into a continuous sacrifice or worship. Janaka of Videha, the patron of Yajnavalkaya, was reputed as a *rajarsi* or *karmayogin.* In the *Santiparvan* we find Janaka in contact with the Sramanic Sankhya school. Jaina tradition, elaborated in their *Puranas,* speaks of Jaina royal sages of antiquity who were just and wise and elightened. Krsna is counted one of these and placed in the class of Vasudevas. In the Buddhist evidence, again, we find Buddha claiming descent from the *Iksvakus* and we are

reminded of Krsna saying that this royal wisdom came originally from the Sun who taught it to Manu who in turn taught it to Iksvaku. We must also recall that it is from the Sun that the rulers all over the ancient world claimed their glory and wisdom.

It seems, thus that an ancient tradition of royal or Ksattriya wisdom was claimed by the aristocracy which grew up in power and prestige in the later Vedic and Janapada age. This tradition drew from both Sramanic and Brahmanical ideas and was the result of the eclectic, philosophical interest of the rulers. Some features of this tradition may be briefly noticed. By interpreting sacrifice spiritually and symbolically, it made every man his own priest and dispensed with the need of any priestly class. By making the rulers themselves the authors of the wisdom which would guide them, it added spiritual and moral prestige to their social and political position. By seeking to combine wisdom and rulership, it founded the tradition of *karmayoga* and the concept of *rajarsi* or royal sage.

Although the early Jainas like the Buddhists accepted the social supremacy of the Ksattriyas and upheld the ideal of enlightened and wise universal rulers *(Cakravartins),* they still distinguished sharply between such a ruler and *arhant.* The ruler, however, great and enlightened, must renounce his office and undergo preparation if he is to acquire original spiritual wisdom. Thus the concept of the *Cakravartin* remains different from the of the philosopher king' of Plato. It is also simultaneously different from the concept of emperor as found in Brahmanical texts or held by the Akhaemenian rulers.

The early Jaina concept of *Cakravartin,* like the Buddhist concept of *Dharmika Cakravartin,* thinks of the ideal ruler as both powerful and morally wise. The Cakravartin has charismatic authority and although he does use force, his motives are right and his knowledge and ability being equal to his intentions, his actions are just. He does not rely on any independent priestly power or ritual magic. He has the support of ministers but he does not follow any crooked policy. Although *ksattravidya* and *ksattra-dharma* stood for the political principles and ethos current in the aristocracy in that age, the concept of *Cakravartin,* is not constituted by them.

The *Thanamga* (7.76) refers to the seven forms of *dandaniti.* According to commentarial tradition the first three of these were current in the times of the *Kulakaras* to whom reference is made in the *Thanamga.* The other four forms of *dandaniti* are said to have begun in the times of the *Cakravarti* Bharata. Now while the *Kulakaras, Cakravartins* and *Dandanitis* are mentioned in *Thanamga* and also elsewhere in the canon, their integration into a systematic theory of social and political

evolution can be seen clearly only in the commentaries and the *Puranas*. Although the antiquity of the tradition may be accepted, the ancient form of the tradition is not known. It may, however, be generally granted that probably even in the canonical age the Jainas believed, in the absence of divine creators and a timeless *Veda*, in exceptional human leaders of aristocratic origin, kings as well as sages, who acted as law-givers and set-up an ideal of rulership. The belief that an age of decline had set in a long time ago, naturally placed these ideal rulers in a mythical past. The origin of the law and the state and the ideal of kingship were thus both combined in the same mythical conception.

The quasi-mythical character of the *Cakravartin* is manifest from the list of his fourteen jewels - *cakra, chattra, carman, danda, asi, mani, kakini, senapati, grhapati, vardhaki, purhita, stri, asva* and *Hastin*. Some of these are really symbolic of power, wealth and glory but have been given a mythical character. The others are reminiscent of the ancient *ratnas* and stand for the major functionaries and representatives who had assisted the monarch. The image of the *Cakravartin*. thus, is the mythically magnified figure of the emperor of the Vedic tradition. The memory of legendary and quasi-historical rulers like Bharata and Brahmadatta is superimposed on it. Finally, moralizing philosophy has appropriated the mythical and legendary tradition of ancient emperors to present an ideal of what a ruler ought to be like.

Sovereignty is not viewed in early Jaina literature as simply based on power or imposed from above but rather as the supremacy of leadership based on wisdom within a society organized in many ways with a mulitple graded leadership of which the people are associates at each level, not mere subjects. Polity based on force has not created social life wich pre-existed it in some form. From the Vedic days the representatives of the different social estates were ritually recognised to participate in the coronation and functioning of the king and this tradition was accepted by the Buddhists as well as the Jainas when they made the *ratna* essential to the *Chakravartin*.

The Jaina texts further speak of three kinds of *Parishad-samita or* the inner cabinet, *canda*, or the intermediate council, *jata* or the external assembly (Thanamga, 3.143). The first of these is comparable to the *Mantrinah* of the *Arthasastra*, the second to its *mantri-parisad* or the Vedic *sabha*, the third to public assemblies at the royal court or the *Paura-Janapada* which succeeded the Vedic tribal *samiti*.

The lists of ten *dhammas* and *theras* recognize the multiplicity of laws and leaders.[15] Villages, towns and counties, sects and families, clans and

federations all have their own laws and leaders. Here we have different forms of territorial settlements, as also associations, based on kinship, forms of polity, and religious belief. Although monarchical polity was more common, the Jaina texts are fully aware of republics and their federations, to one of which Mahavira himself belonged. On the different forms of polity we hear in the *Ayaranga* (II.3.1.10-11) of *"arayani va, ganarayani va, juvarayani va, dorajjani va, verajjani va, viruddharajjāni va."* *Arayani* or anarchical states are explained by the commentators as states where the king is dead and none has succeeded him. *Juvarayani* refers to state where the crown-prince is in charge but not yet coronated. *Dorajjani* obviously refers to diarchical states of which we hear from the Greek accounts going back to the days of Alexander. *Verajja* is a fully anarchical condition but one is reminded of *'Vairajya* occurring in Brahmanical literature where it seems to stand for some distinctive type of polity.[16] *Viruddharajja* has been explained as a state of war between two states or a no-man's land. It deserves to be noticed that here *ganarajya* or republican states are put at par with the other more or less anarchical states and the monks are advised to avoid them lest they be accused of theft etc. This clearly reflects a situation which did not exist in Mahavira's age when the *Licchavi- gana* was famous for its elaborate judicial procedure. This only confirms that *Ayaracula* is distinctly later than the *Ayara*.

Although the earlier Jaina attitude did not show any theoretical preference for republics over monarchies, their sympathy in practice lay with the former. Just as we hear in the *Mahaparinibbanasutta* that the Buddha held the Vajjis superior to the kingdom of Magadha, similarly in the *Bhagavati* (7.9). we hear that the federation of eighteen *ganarajyas* including the Mallas and the Licchavis, was really stronger than king Ajatsatru of Magadha but lost on account of the devilist machinations of the latter in the frightful battles called Mahasilakantaka and Rathamusala.

The descriptions of kings, their courts and administrative officials as found in the existing canon appear to be standardized and possibly belong to the age of the council of Valabhi. The standard forms of such descriptions are often referred to the *Aupapatikasutra*. To glean administrative details for the earlier period from canonical literature is thus an extremely difficult enterprize. We can only gather a general picture which tends to conform with early Buddhist texts. Kings were assisted by councils and officials who included *amatya, senapati purohita,* and *setthi*. The cities were administered by magistrates who had a police force under them. The villages had headmen as well as local councils. About the republican states some details have already been brought out by a number of scholars on the basis of Buddhist texts. In this respect the Jaina texts suffer by a greater

erosion of a later date. Nor in view of their probable dates is it safe to regard the material in the *curnis* as deriving from lost original sources. For example, the *Nisitha Curni* of the 7th century A.D. does give many valuable details about administration but it would be hazardous to plead for their antiquity.

The list of the ten *dharmas* makes it clear that the word *dharma* was used in a wide sense. Its ontic sense was that of the principle of motion inherent in real substances. On the other hand, it stood for the principles of conduct and the principles revealed in tradition.The practice of these moral and religious principles, however, depended on the laws holding together the community in its various forms. These laws of actual persistence are held to be the more durable basis of the ideal principles which need to be individually practised. *Sruta* and *caritra dharmas* have a transcendental source and as ideal precepts their obligation on the individual depends on the acceptance of their truth or faith in their source. The *dharmas* of *grama, nagara, rastra, pasanda, kula, gana* and *sangha* are rules of common behaviour resting on general acceptance.The truth which belongs to these rules has been called *desa-satya* in the *Tattvartha-vartika* (ad. 1.20) The *janapadasatya* of the *Thanamga* should presumbly correspond to this.

Where *kula, gana,* and *sangha* are taken in the *lokottara* sense, it is clear that their rules are rules of discipline intended as means to the facilitation of moral rules. Whereas the moral rules essentially relate to motives and intentions, the rules of monastic discipline seek to regulate collective behaviour in conformity with them and lay down behavioural punishments for their breach and also the authorities which would adjudge such behaviour and oversee the punishments. This was called *vyavahara* and it was duly codified. On this analogy the rules of the non-religious associations would also appear to be rules intended to facilitate the purposes for which they exist i.e., as essentially instrumental in character. Since such rules must be so devised that they may be effective and at the same time generally acceptable, it follows that they must partake of a rational as well as a conventional. That is why they are a species of *janapada-satya*. The Buddhists called them *samvrtisatya,* a variety which finds mention in the Jaina canonical list of ten truths.

As a norm for practice *dharma* has a common meaning in all the nine varieties excluding *astikaya-dharma*. As *sruta* and *Caritra* it obliges each person unconditionally for its own sake. In the other categories it is devised instrumentally. In the social-secular categories it takes instinctive purpose and behaviour for granted and assumes the form of a regulation or limitation. In this sense, the *anuvratas* may be regarded as paradigmatic of

social rules. Their nature is to at once allow and restrain natural behaviour. The entire corpus of *pravrtti-dharma* in so far it constitutes social regulation, evinces this character. Natural behaviour and ideality are here held in tension. Thus the *Thanamga* mentions the conflict of *dharma* and *gana-samsthiti*, of the ideal norm and the actual constitutive rule of the *gana*.

We have so far noticed three features of *grama-dharma* etc. They are instrumental *(sadhana)*, regulative *(niyama)* and akin to social convention *(samsthiti)*. Jaina tradition attributes their origin to wise leadership of which the examples were the *kulkaras* and the *cakravartins*. Just as the spiritual wisdom of the *Arhants* and the *ganadharas* is the source of *sruta-dharma*, the natural wisdom of primaeval chief and king is the source of social regulation. But this source is not simply a matter of past history; it is a perpetual source of the laws actually governing social behaviour. That is why corresponding to the ten *dharmas*, we find the list of ten *sthaviras* or leaders.

The rules by which villages, towns and nations run their business have a complex origin. The Brahmanical tradition recognised a number of sources of *dharma* ranging from revelation to custom and mentioned the diverse *dharmas* of *Jatis*, *Janapadas* etc. The very recognition of ten types of dharma in the Jaina canon is evidence of its endorsement of a generally similar point of view.

Social and political rules, thus, may be understood to be the work of naturally wise and able leaders and to be of the nature of a regulation of instinctive behaviour in the interest of moral and spiritual life. From the *mahavratas* follow the *anuvratas* and for their realization the fabric of *dharma* political life provides a substratum, that is why the *jambuduvipa pannatti* says that moral and religious practice is more fragile than the common fabric of social life.[17] That virtue is destroyed earlier in point of time than mere social survival, is only another way of putting the Aristotelian dictum that society arising for the sake of life continues for the sake of good life.

It is worth noticing that *rastradharma* or the 'law of the kingdom' is not treated here as the sole source or body of law. The reference to the laws of villages and towns suggests that they enjoyed a substantial degree of autonomy, a fact which conforms to what we know of that ancient period from other sources. The later commentaries as well as inscriptions also tell us about the active role of popular councils in running village and town administration. The expression *rastradharma* may be held similar to the Brahmanical *rajadharma* which meant the duties of the king. Now the prime duty of the king was to maintain *dharma* itself, i.e., the general

social order of duties. The maintenance of this order or *maryada* is duly mentioned in the Jaina canon as the quality of a good ruler. It is a common enough observation that the modern emphasis on rights is replaced in ancient thought by that on duties. There is in fact no ancient word which exactly corresponds to the modern word right. From this difference in outlook emerges a profound difference about the conception of justice. The modern conception of justice is in terms of the law of the state and this law itself is required to secure rights. An individual or group may thus demand justice in terms of its rights. Discovering rights and securing them is the hall-mark of political justice which is inseparable from social and economic justice. The ancient conception of justice was in terms of a law superior to the state. As the *Br. Up.* stated in a classic passage, *dharma* is the ruler of the ruler, *Ksattrasya Ksattram* [18] This superior law being moral, imposed obligations or duties on the shepherds and the sheep like, with the result that justice comes to consist essentially in being just, not demanding justice. The basis of being just lies in the perception of the equality of others with oneself. The pleasure and pain of others need to be balanced with one's own. This is *Atma-tula,* which one must seek. *"Eyam tulam annesim."* Looking within at oneself, one can understand the other who are outside. That is, one can understand the feelings, needs and welfare of others with reference to one's own subjective condition. *"Je ajjhattam jāṇai, se bahiā jāṇai".* Similarly, looking at others, for example at their injustice or violence, one can see the same in oneself and avoid them. *"Je bāhiā jāṇai, se ajjhattaṁ jāṇai".* Through perceiving the terror of violence one can understand what constitutes evil or injustice *'Ayamkadassī ahiyanti naccā.'* Thus to be just one ought to do unto others what one would do unto oneself and not to be unjust one must not do unto others what one would not like to be done unto oneself.[19]

Justice, thus, depends on preception of spiritual equality and the moral sense resulting from it. Negatively this moral sense implies the limitation of wants, the restraint of passions and desistance from violence, force and aggression of any kind. Positively, it issues into charity and service. Curiously heroism is emphasized by early Jaina texts mostly in the context of ascetic spirituality, not in the context of protecting others from violent injustitce. This is probably an accident of the ascetic context of the canonical writings. The prevalence of the traditional heroic ideal for rulers was taken for granted. Its perversion into wanton war and stribe was sought to be curbed by moral admonition.

The modern ideal of just society in which every one constantly seeks to maximise their satisfaction, is a quest for the Holy Grail. *"Aho ya rao ya paritappamāne, kālākālasamutthāī, smajogatthī atthālibhī,*

alumpe sahasakkare. viniviṭṭhacitte ettha satthe puṇo-puno.[20] Tormented day and night, without regard to time and convenience, seeking to add more, greedy for gain, one tends to forcible acquisition and crime. With a possessed mind one uses violence again and again. One seeks to gather diverse types of force including political force *(raya-bala)* and engages in violence *(danda-samāyānam).* It may be out of positive thought for gain or out of fear *(sapehāe bhayā kajjati).* One cannot be expected to act justly if one is not prepared to limit one's wants and this is the principle underlying the *anuvratas.*

The Brahmanical tradition had defined *dharma* as a just order in terms of the duties of the *varnas* and the *asramas,* which included the duties of the kings as well as the mendicants. The Jainas defined the duties of the mendicants and the householders, which in effect could replace the *asrama-dharma.* They did not accept the Brahmanical system of the *varnas.* Instead they distinguished three social classes--the *Ksattiyas,* the *gahavais,* and the lower classes, the ksattriyas are conceived as the ruling class the *gahavais* are men of wealth, posessions and business, the lower classes included slaves, servants, labourers, primitive tribals and the poorer craftsmen. This classification is merely a recognition of actuality as seen from a non-Brahmanical point of view. It is not held up as the model of an ideal society. As already mentioned the Jaina recognised the existence of a multiple order of social norms or kinds of *dharma.* Society runs by nature and convention. To make it ideal and just, one needs no detailed blue-print or scientific ingenuity but the practice of discipline, non-violence and the limitation of wants. To seek justice one must go beyond the cause of injustice, beyond strife and the pursuit of wants. This cannot be done by any political reorganisation. The ideal state can only be a state where moral and spiritual faith prevails. This implies the rejection of an alternative point of view according to which the opulence of nature exploited by scientific technology can give man ever-higher levels of satisfaction when social organization keeps pace with these changes. The ancient Vedic view also believed in the bounty of nature but made it depend, not on scientific technology, but on the righteousness of the king. The *Sramanic* view, however, did not share this optimism, modern or ancient. Wants will always outrun resources and produce strife. The state may punish some criminals but produces the organized crime of war. No reorganisation of force can produce an ideal society.

The Jaina canon presents images of kings of different types but the descriptions tend to be stereo-typed. At the top are the *Cakravartins* like Bharata followed by Vasudevas like Krsna, and Baladevas. They are mighty and just but not wholly spiritual. At the lowest are wicked rulers

like Ekaki Rastrakuta.[21] Inbetween are rulers, like Srenika and Kunika who have pomp and glory, power and wealth. Nami is a royal sage who abandons the business of politics. Srenika does not go so far but listens to the wisdom of sages and hopes to be good. The canon does not preserve any purely political advice which might have been rendered to such rulers. Its emphasis is rather on moral advice. The rulers must not forget that they are as much subject to the moral law as any ordinary man. Whether a king or a candala, all are alike before the law of *Karman* all equally capable of being good and acquiring spiritual wisdom.

Jaina canonical thought may be described as much a moral preamble to the practice of religion as to that of politics. Authority and governance, law and justice, obedience and conquest, freedom and discipline, equality and happiness, all these terms have an inherent duality. They apply to man's inner life as well as to his external behaviour. Their application to man's inner life reveals their essential meaning and provides a model for outer life. It is in terms of the ethico-spiritual life that man comes to understand the meaning of socio-political norms just as in socio-political life one learns to practicse ethico-spiritual principles. *"Je ajjhattaṁ jānai, se bahia janai/ Je bahia janai, se ajjhattaṁ janai."*

Authority, thus, belongs in the first place to an agency using force, which can only create fear. *"Saddha dutiya purisassa hoti, pannacenam pasasati."* It follows that the authority which rulers claim can only be derivative. They can have authority only by serving what has real authority. Law similarly is the constraint of truth or essential nature. Justice is equality, the sense of spiritual similarity, *"Samiyāye dhamme ariyehim pavedite"*.[22] Obedience is owed by the will to reason. It is the passions which rebel and need to be conquered. Freedom is attained by the will when it follows reason without hinderance by the passions. Happiness lies in the equanimity born of discipline and wantlessness.

These principles have well-understood parallels in outer life. The king should follow the right faith and do his duty without regarding himself as a morally privileged person. The people should follow the example of the king. The laws of the state and society should not be contrary to the principles of spiritual wisdom which decree non-violence, equality and wantlessness. Men should not lose themselves in worldly pursuits, i.e. social policy should not be maximist. Business should be conducted honestly and politics truthfully. War should be avoided. In short, if one seeks to be a good person, all activities will tend to be good. If one disregards the seeking to be good, but merely wants to do good and be successful, all activities will turn towards evil. If the political life of man ceases to function as a support for his spiritual life, it can only promote evil.

IV
THE JAINAPURANIC TRADITION

It has already been mentioned that the Jaina canon by its incidental references presupposes the existence of a Puranic tradition. The canonical tradition has been held to have included four kinds of teachings, viz. *Prathamanuyoga*, *Karananuyoga*, *Carananuyoga*, and *Dravyanuyoga*. These stand for the *Puranas*, cosmography, ascetic discipline and metaphysics respectively. The first or *Prathamanuyoga*,corresponds to the third or *Anuyoga* section of the lost *Drastivada*. The main emphasis here was on the biographies of the sixty-three model persons called *Salaka Purusas*. These consisted of twenty-four *Arhants*, twelve *Cakravartins*, nine *Vasudevas*, nine *Baldevas*, and nine, *Pratinarayanas*. The Jain *Puranas* of the classical age claim to draw upon the traditions of the lost portions of the Agamas. In these classical *Puranas*, cosmography, the biography of celebrities, and religious instructions are joined together in the same manner in which they are found in the Brahmanical *Puranas*. The most popular heroes seem to have been Padma or Rama, the cousins, Nemi and Krsna, Parsva and Mahavira. Thus the Jaina *Puranas* are not only similar to the Brahmanical *Puranas* in their general scope and style, but also share some common mythical and legendary tradtions, though the accounts are not wholly similar.

It stands to reason that the development of the Brahmanical and Jaina Puranic traditions could not have been wholly independent. The earlier of the extant Puranas in the Brahmanical traditions are now generally dated in the Kusana and Gupta periods.[1] On the other hand while the *Paumacariya* of Vimala Suri might be dated five hundred and thirty years after Mahavira's nirvana, the other Jaina *Puranas* go the Brahmanical tradition Mahavira's *nirvana*, the other Jaina Puranas belong to the post-Gupta period.[2] Thus, as far as the classical *Puranas* go the Brahmanical tradition seems to be earlier than its Jaina counterpart. Similarly, the earliest references to the *Puranas* in the Brahmanical literature are earlier than the references to the Puranic material in the Jaina canon. Thus the *Chandogya* refers to *Itihas Purana* and several Puranic rulers are mentioned in the

Brahmanas. The *Bhavisyat Purana* is mentioned in the sutras. It has indeed, been argued plausibly that a non-priestly bardic tradition of royal history existed in the Vedic age.[3] This tradition, however, underwent an eclipse on account of the disappearance of ancient Ksattriya dynasties in the post-Vedic age. The *Puranas* then appeared to have been captured and recast by the Brahmanas. Even the classical five characteristics of the *Puranas* gradually ceased to be a just description of the *Puranas* as they gradually came to be finalised.

On the Jaina side the third and fourth *angas* contain some schematic data of a Puranic nature, which is also found occasionally scattered in other parts of the canon. In the *Nayadhammakahao* thus some account of Aristanemi and Krsna may be found. The finalization of the canon, however, took place in the Gupta age and consequently the date of the tradition presupposed in such references remains uncertain. The most we can say is that some kind of a Jaina Puranic tradition existed when the earlier Brahmanical Puranas were receiving their present form out of a much more ancient material which harped back to the bardic traditions of the Vedic age. Some scholars have, therefore, tended to believe that the Jaina Puranic tradition arose through an adaptation and modification of the Brahmanical Puranas.[4] Against this, one would like to suggest a different hypothesis. In some of the Puranic references to Rsabha and Bharata as for example in *Visnu Purana* and the *Bhagavata*, the figures of Rsabha and Bharata are strongly reminiscent of Jain spiritual heroes. It would be more natural to suppose that such heroes formed the original kernal of the Jaina Puranic tradition, just as the figures of Rama and Krsna appear to belong more naturally to a Ksatriya tradition which has little in common either with Jainism or Vedicism. Both classical Jaina and Brahmanical puranas seem to take their historical material out of ancient royal legends. This common material was presumably combined with different cosmographical and philosophical systems to produce different sets of Puranas.

The *Paummacanya* claims to have been written 530 years after Mahavira whose *nirvana* is generally placed in 527 B.C. The work relates the story of Rama which diverges from Valmiki. The author claims to draw upon the *Purvas*, which unfortunately are supposed to have been lost earlier. For our present purposes the third canto of the work as also the fourth are relevant in as much as they describe the origin of the social order. After this work of Vimala Suri we may note the *Hari-vamsa-Purana* of Jinasena which was completed in 783 A.D. Next comes the justly famous *Adi Purana* of Jinsena and the *Uttara Purana* of Gunabhandra. This Jinasena who is different from the earlier one, wrote the work under question about 897 A.D. In this *Maha-Purana* we find the

Jaina ideas about social and political origins as also the ideals of the ancient *Cakravartins* in their classical form.

Although it is increasingly believed that the historical and geographical portions of the *Puranas* have a certain basis in the tradition of empirical knowledge, it must be remembered that the theoretically the *Puranas* are quite differently conceived than history. In the first place the *Puranas* claim to stem from the supernatural wisdom of sages. The Jaina tradition holds that King Srenika wanted to be enlightened about the *Puranas* when Mahavira was still alive. Gautama Indrabhuti related the *Puranas* to him, which originally had been revealed by Rsabha to Bharata at the beginning of the epoch. Later the emperor Sagara had asked the same question of Ajitanatha. From Gautama the Puranic tradition passed on to sudharma and then to Jambhusvami. Through a long line of teachers this tradition started declining after 683 years had elapsed since the Nirvana of Mahavira. It is obvious, thus, that having survived over countless ages the tradition underwent a sudden sharp decline. By the time the present Puranas were written, the ancient tradition was faint indeedbecausethese Puranas are plainly and largely literary compositions reflecting the social and cultural conditions of their own age and hardly any historian would be able to repose faith on the antiquity of the innumerable tales, incidents and names with which they are replete. The ancient material which these Puranas contain is relatively limited and uniform and this material has very interesting similarities and differences in relation to the Brahmanical tradition.

The *Puranas*, it would be clear, represented not a tradition of empirical history but a tradition of wisdom. They centered round the founder of the Jaina tradition who is remembered as the creator of the social order as also of the spiritual path of Return. This central event of the promulgation of civilization as well as religion takes the place in the Jaina tradition of creation as in the Brahmanical tradition. The attributes of Brahma are, in fact, applied to the First*Tirthankaras.*He is called Svyambhu and *Prajapati.*

The most important idea of the *Puranas*, thus, is the ideal that social as well as spiritual wisdom was revealed by a man of superhuman attainments at the very time when history may be said to have begun. The basic norms of human life come from a perennial tradition of wisdom. They are not the tentative products of empirical history. The division of society into classes, the differentiation of economic professions, the institution of coercive authority -- all these were the contributions of Rsabha who also founded the arts and sciences.As ruler he founded civilization in its diverse aspects and as *Tirthankara* he revealed the path of salvation.

Generally, however, the *Puranas* keep *Tirthankaras* and sovereigns separate. Thus although the lives of the *Tirthankaras* constitute the prime theme of the *Puranas*, they also recount the stories of universal or semi-universal rulers. These can hardly be regarded as historical. They represent rather a certain conception of rulership in which legendary and mythical material is adapted to Jaina doctrines. If Rsabha is the fountainhead of the tradition, Bharata is the sovereign par excellence.

These two basic ideas - the founding of civilization and the representation of universal monarchy - are placed within a more general idea, that of the cyclic movement of time. In accordance with this idea, the past of mankind is seen as a succession of ages of decline which made the paraphernalia of civilization increasingly necessary. Here we have the precise opposite of the modern ideas which makes civilization a matter of linear development and achievement.

These three ideas of cyclic time and human decline, of the original founding of the civilized human order, and of universal sovereignty represent the basic tradition which is elaborated in the Puranas. It will be obvious that these ideas constitute a philosophy rather than a history. Although placed in the past, one can hardly think of the deeds of Rsabha and Bharata as history in the ordinary sense. Rather, recollecting their deeds is important in the sense of reminding one how things were once done in the right manner. This is exactly the function which primaeval myths performed. For the matter of that, can one say that history has ceased to be philosophy teaching by examples ?

The historians following common sense hold to a Newtonian conception of time which regards it as flowing equably and providing an absolute measure of change. On this view time itself is not a cause of change nor does its behaviour change. On the Jaina view, however, time itself is an auxiliary cause of change. Although the changes which anything undergoes are the specific result of its own qualities and states, time is a necessary factor in this process. The real nature of time is this support to being *(vartana)* in change which characterizes objects. Practical time *(vyavaharika kala)* is a succession of periods and the important thing is that different periods and their successions are not alike in their general tendencies. This makes time inherently historical and differentiates it from any purely mechanical or mathematical conception of time. For any historian time periods are unlike and characterized by different tendencies because the legacy of human actions is not the same in them. For Jaina thought too since there is no God or divine providence, it can only be the collective legacy of *karman* which differentiates the general movement of time. This view differs from the modern historical view in three respects. It

joins together human and cosmic time in such a manner as to make man the cosmic centre. It makes this time cyclical in nature, and finally, it makes the force of human deeds more than empirical. What makes time periods good or bad, is nothing which the historian can discover from empirical evidence. It is something which can be discovered only through the wisdom of sages.

The fundamental law of time is that it alternates between phases of increasing betterment and increasing deterioration, called *utsarpini* and *avasarpini*. For all practical purposes the whole of human history lies in the negative phase of growing decline.

This idea of 'declining time' is as fundamental to ancient thought as that of evolution is to modern thought. The contrast between the two ideas is too logical to be the accidental result of a sudden explosion of scientific knowledge. The fact is that the concept of progress was accepted in social science before the hypothesis of biological evolution was firmly established as a scientific theory. The concept of development, again has become basic to contemporary economic and political analysis even though the theories of development are still tentative and disputed. On the other hand, the ancients appear to have been aware of the logical assumption that the 'primitive' mode of life was presumably earlier than the complicated arts of civilization. The concepts of progress and decline with respect to human history and society, thus, reflect not so much proved theories of historical and social science as value-systems seeking support from attitudinal spill-overs from natural or spiritual science. The prime ancient value is *moksa*, the prime modern value *bhoga*. The modern effort seems to be to recapture that lost primaeval condition when the earth was a pure *bhoga*-bhumi when human pairs lived in perpetual enjoyment without the need of toil. Different types of wish-trees functioned like dream-robots supplying everything one could wish for – food, clothes, dwellings, lights, music, liquor, ornaments etc. — *"Madya tūrya-vibhūṣā - srag - jyotir - dipa - grahāṅgakāh / Bhojanamatra- vastrāṅgā daśadhā kalpa-śākhinah.*[5] This was the condition of complete happiness of *susama susama* at the beginning of the present *avasarpini*.

This is, however, a spiritual law that earthly enjoyment tends to exhaust the energy of its own *karmic* basis. The wish-trees began to lose their power like non-replenishable resources and by the time the third period *susama-dussama-* was well advanced, men were bewildered by the hostile changes in their environment. Thus was ushered in a new phase the Age of Patriarchs or *Kulakaras*. These have also been called Manu's, though they are different from those mentioned in the Brahmanical tradition. During this period the wish-trees disappeared and their place was

taken by natural grains. An age of food-gathering thus began. It also became necessary during this period to demarcate rights and take measures to prevent their violation. These measures still consisted of nothing more than social disapproval in different grades. The lowest grade was deprecation, the second grade was admonition, the third was condemnation. These are the first three forms of punishment or *Dandaniti* called *Hakara*, *makara* and *dhikkara*.

We can, thus,notice three features of the age of patriarchs. Men live by gathering wild grains which were sufficient for them. They lived in small families with a leader who acted as their law-giver or adviser. Rudimentary distinctions of property existed, society disapproved the disregard of such distinctions but no need was felt of any physical coercion. In contrast to the earlier conditions of a mythical and imaginary nature, this condition of society, simple, innocent and peaceful where state and society were hardly distinguishable, could well have been real. Father Schmidt's version of pre-history agrees closely with such a picture. In the usual anthropological and archaeological reconstructions of the life of man in the age of food gathering,hunting and fishing are generally added as important activities. The Puranic account does not regard food-gathering as a mark of savagery but rather of innocence. The last of the *Kulakaras* was Nabhi and his son from Manu Devi was Rsabha who was the first king and *Tirthankara*. With him the condition of Bhogabhumi finally ended and the conditions of Karmabhumi began. Instead of merely gathering and enjoying the fruits of nature's bounty, man had now to toil and earn with the sweat of his brows. According to the archaeologist such an age of toiling or food-producing began in the new stone-age and developing through the chalcolithic age produced the phenomenon of civilization including the arts of agriculture, industrial crafts and trade, the art of writing, the science of heavens and priestcraft, social distinctions, accumulations of property, villages and towns, kingship and empire. The modern historian traces the emergence of this complex fabric of civilization to the tentative efforts of numberless of men and communities over millennia. The source of this vast and unprecedented process is attributed by modern ingenuity to successful aspects of such traditions. Briefly civilization is the growing transformation of human life wrought by discoveries and inventions prompted by the needs of survival, comfort and curiosity.

The Puranic version also traces the origin of the elements of civilization but regards them as instituted by one wise teacher and ruler of mankind at the beginning of the history of *homo faber*. It is difficult to treat this account as the record of some single past event which passes modern credibility. Nevertheless, it does express a certain philosophy of civilization,

which repudiates the ancient Brahmanical as well as the naturalistic or modern points of view. The Brahmanical view traces civilization to a timeless divine revelation, the *Veda*. The modern view makes civilization a natural and historical human achievement. For the Jaina view civilization depends on the guidance of specially enlightened human individuals and the tradition of wisdom established by them. Wisdom is perennial but it is realised in spiritual inwardness individually and the persons who attain such realization guide others. They are also the source of that moral wisdom which holds together society. It is true that the person who has reached spiritual perfection does not give instruction in secular wisdom, nevertheless, at an earlier stage such great men do enlighten the world in secular arts and sciences.

While maintaining a distinction between the spiritual teacher and the temporal ruler and a corresponding distinction between the *sadhusangha* and the *sravakasangha*, this view seeks an ideal coordination between secular life and spiritual life, thereby admitting the state at a certain place in the scheme of ideal life and treating it as more than necessary evil. Governed by and serving passions, the state may indeed be largely evil but it can be enlightened and just and promote the ideal life of the spirit. In the Puranas, thus, we find an attempt to delineate the ideal state under Rsabha and Bharata.

There are two aspects of this account. One is the expression of the foundational aspects of political life. The other is an expression of what was regarded as the ideal organization and policy of the state. The former aspect relates to some basic traditions coming down from the past. The latter represents in all obviousness the views which were current in the days of the authors of the Puranas.

Turning to the fundamentals of the Puranic tradition relating to the origin of the political order, we may note that this origin is described in terms of a gradual process extending over a long period ranging from the first patriarch to the first king. Technically this is the process of the emergence of *dandaniti* in its seven phases. It may be recalled that the *Kulakaras* and the forms of *dandaniti* find mention in the *Agama* and are also detailed in the *Avasyka-niryukti*. Their tradition certainly precedes the composition of the classical *Puranas*.

This process of the emergence of the state is made to depend on two basic conditions which interact fruitfully. The first condition is the existence of a wise leader and law-giver in society whose advice people seek and follow. The second condition is the decreasing bounty of nature producing the scarcity of goods and consequent possibility of conflict. Scarcity leads to the need of toil on the one hand and on the other to the need of common

rules for safeguarding the rights of each. Under rudimentary conditions this safeguarding was achieved by organised social opinions to which belonged the first three forms of *dandaniti* We have here the picture of a perfectly peaceful clan under a wise Patriarch where there is as yet no division of labour, property rights are rudimentary and the collective opinion of the clan carries enough force to maintain the harmony of the clan against occasional tendencies of disruption. It was a condition when disputes were peacefully settled by common consensus. The state certainly existed but there was neither the violence of punishment nor that of war.

The division of labour leading to social differentiation and the emergence of more elaborate forms of economic life, property and settlements constituted a complex of changes which accompanied the emergence of a new kind of polity called kingship or empire. Modern historical research holds that ancient empires arose from the settlement of clans and the processes of their breakdown accompanied by conquest. Economic processes especially the growing division of labour and the consequent growth of exchange relations played an important part just as social differentiation in terms of power and property did. In short,modern research suggests that the transition from clan patriarchate to territorial kingship and empire was mediated by economic changes and the use of force. Generally speaking,it would be reasonable to hold that the division of labour, differentiation of property, and the organisation of coercive power constitute three moments of the abstract structure underlying the socio-political process leading to emergence of sovereign authority. On the Jaina view, however, while the developmental process is similar in its stages, it is throughout a guided and rational process which culminates in kingship. In this respect the Jaina view may be said to present a logical simplification rather than the circumstantial account of historical changes. What is more, it seems to convert immanent social reason into one semi-divine figure. Its principal difference from the modern view, however, lies in the fact that its notion of guided change eliminates the violence and conflicts of actual historical changes.In this sense the Jaina view may be said to visualize the emergence of sovereignty in an idealized manner.

It points out the logical factors involved viz., the presence of law-giving wisdom as well as the stimulus of economic development. From a realistic and historical point of view the role of wisdom appears to be exaggerated and the role of dialectically constructive force underestimated. The Jaina theory in fact does not recognise what Hegel called the 'cunning of reason.'

Let us briefly recount the Puranic description of the transition of mankind from primaeval innocence to the political order based on coercion.

The *Harivamsa* states—"There was only one class of excellent people. There was no *caturvanya*, no division into six occupation. No master and slave." (7.103). There was then a 'paternal order' (*aryasthiti*, 7.153). "On account of their adoption of the policies of *há*, *má*, and *dhik* as means of protecting the order (*maryada*) these leaders (*Kulakaras*) of superior talent were like the fathers of the people" (7.146). Such was the earlier condition. During the period of the last Kulakara Nabhi, the people were directed by him to meet his son Rsbha to report their distress. They lamented that they were tormented by hunger and the fear of wild beasts. (*Harivamsa*, 9.25-33. *Adipurana* 16.13-141). It is true that Jinasena II mentions *matsyanyaya* in 16.252-53 but that appears to be part of a later and varnished account where Rsabha's actions are made to correspond to the *Purusa-sukta*, and the *smrti* doctrine of *anuloma*- marriage. The reference to *matsya-nyaya* should be treated as part of this later varnishing by Jinasena. In fact, what he says belongs wholly to the tradition of *niti* which was in due course adopted by Jaina thinkers. We must, however, distinguish between the *Agamic*, *Puranic* and *niti* traditions in their original tendencies. In the *Agamas* *arajaka* is undoubtedly mentioned but it seems to refer to a condition where there is a temporary gap in succession or civil strife or military disorder. It is, in other words, a condition of political insecurity, not a prepolitical condition.In the Puranic tradition there is a gradual development of *dandaniti* and it is economic pressure that acts as the principal challenge before the people who are never without a leader. The people were all sinless, "*prajāh sarvāh niragasah*" (*Adi* 16.251) One can hardly think of *matsyanyaya* under these conditions.

To revert to the Puranic account, the people distressed by hunger approached Rsabha who introduced the following innovations. He introduced work for livelihood, thus changing the 'land of enjoyment' into the 'land of work' and initiating the Krta age. The livelihood was divided into six types of work-'*asir masi krsir vidya vanijayam silpam ityapi*'. i.e. soldiering,writing, cultivation learning, trade, and crafts. Cattle-rearing was included among these. Rsabha also began the traditionof thedifferent arts and sciences. And finally he established the three classes of the social order viz., the Ksattriyas given to fighting, the Vaisyas given to trade and the Sudras given to crafts. There were no Brahmanas at that time. It was his son Bharata, the Cakravartin, who first instituted the class of Brahmanas consisting of those persons belonging to the three professional classes who were distinguished by their high moral and spiritual attainments. Brahmanahood, thus, was conceived not as a hereditary class or a mode of livelihood but as a mark of spiritual honour and social distinction.

When Rsabha had established the socio-economic order, it was only fitting that the gods should have come and coronated him king. This intervention by the gods is not intended by the Jaina Puranic tradition as a source of authority for the kingship of Rsabha but as its recognition. This served to bring the kingship of Rsabha in line with the popular view in which the royal authority was legitimized by the ritual of coronation.

It may be recalled here that a different version of Rsabha's coronation is to be found in the *Subdhika*, a comy on the *Kalpasutras*. Here we are told that disputing twins were told by Nabhi that only a consecrated king had the right to inflict punishment. For this reason they decided to have a king and selected Rsabha on the advice of Nabhi. Rsabha was then coronated by Indra.In this version the stress is on disorder and disputes and the need for authoritative adjudication, not on the search for an economically viable order.

This version relies on the ancient tradition relating to the development of Dandaniti which may be clearly found in the *Avasyaka-niryukti* and *Avasyaka-curni*. According to the *Thanamga* (7.66) *"Sattavidha dandaniti pannatta tamjahā-hakkāre makkare, dhikkāre, paribhase maṇḍalabandhe, cārae, chavicchede."* The first three have *niryukti* been described in connection with the *Kulakaras*. The fourth or *Paribhasa* is detention for a short while, the fifth or *mandalabandha* is prohibition to leave a fixed area, the sixth or *caraka* is incarceration, the seventh or *chaviccheda* is multilation. According to the *Avasyaka-niryukti* the last four of these forms of punishment were instituted by Bharata, but the *Avasyakacurni* records a tradition that the fourth and fifth forms of punishment were instituted by Rsabha while the last two alone were the institutions of Bharata.[6]

Whatever might have been the details, kingship came along with the development of economic life and the arts of civilization and gave authoritative direction to social life constituting it into a differentiated order. At the same time it instituted an administrative system along with coercive punishment. Under Bharata sovereignty acquired an imperial character and relied on war for the fulfilment of its ambition. Bharata engaged in a fratricidal war and even used the ultimate weapon-*cakra*-against his own brother. Here we have the universal search for security, it ends with the search for universal dominion, it tends to become aggressive itself.

The Puranic tradition, however,does not dwell on the negative dialectic of sovereign power. It is true that Bahubali s condemnation of sovereignty (*Lakshmi*) and his own renunciation of it, must be regarded as a forceful indictment of political power and ambition. The Puranas, however,

continue with the glorification of Bharata. Apparently the ideal of empire came to be approved in the Jaina tradition as much as in the other traditions of ancient India. Only the empire could ensure peace and order over the whole land which was considered as the ideal unit of government. Once the *Bharata-ksetra* of *Jambu-dvipa* is accepted as a natural geopolitical unit, the very arguments which justify government, justify the empire. This comes out clearly in the definition of *Chakravarti-ksetra* as given by the *Arthasastra*. The Brahmanical Puranas point out the socio-cultural unity of this region beyond which lie the *Mlecchas*. The Jaina tradition mentions twenty-five and a half *janapadas* as belonging to the Aryas.[7] In short, the Indian sub-continent came to be generally regarded as united by its general ethos and as constituting a natural region for political unification. The state over this vast region was, however, conceived as governed by an imperial authority which was in practice really federal in the sense that it willingly accepted subordinate authorities. India was too vast a country to be governed entirely from a single centre. The imperial centre was the fountain-head of authority but it willingly tolerated subordinate rulers who were rooted in their own regions or *janapadas*, enjoying the loyalty of their own people but governing under the supervision of the imperial authority. The conquest which secured such an empire was traditionally called *dharma-vijaya*. Thus although the *Cakravarti* used force, his use of force was deemed righteous because it extended the protection of sovereign authority over the people with Aryan ethos and did not at the same time seek to dispossess the traditional rulers in the regions.

The Jaina Puranic tradition thus required a state to provide livelihood by promoting the six occupations, provide social direction in terms of the three classes, honour, spiritually distinguished people as true Brahmanas, punish crimes and defend the country. It traces the origin of sovereignty in terms of a transformation of a patriarchal authority. It provides a Jaina alternative to the traditional Brahmanical social ethics of *varna-dharma*. It adapts the conception of universal sovereign and makes it a part of the Jaina traditions. The *Puranas* thus go considerably beyond the canonical outlook. They accept secular institutions as they were current, but they seek to modify them so as to bring them in line with Jaina faith so far as practicable.

This process of accepting the current institutions with suitable modifications may be seen most clearly in the ideas which Jinasena II puts into the mouth of Bharata. The Puranic theory of three Varnas based on occupations was already a reformist version of the *varnadharma*, parallels to which may be discovered in the *Mahabharata* and Buddhist

writings. Jinasena now adds to the *Varnadharma* a veritable corpus of rituals, duties and ceremonies which constitute an elaborate alternative to the Brahmanical *asrama-dharma* and *samskaras.* They are said to belong to the collection of duties for the laity They are divided into three sets of rites. There are fifty-three rites following from brith, forty-eight rites following from initiation and seven rites following from spiritual eligibility. The first set of fifty-three rites begin with conception and go on till salvation, rather than death, as is the case in the Brahmanical tradition. Some of these fifty three rites may be mentioned here. The first is conception where three holy fires are to be used for pure oblations in front of the image of Jina, and only Jaina *mantras* are to be used. The seventh rite is that of Naming. The name should be selected from amongst the names of the Jina. The fourteenth is *upnayana* for which a simplified Jaina ritual is prescribed. The seventeenth is marriage. As already mentioned, rules of *anuloma* marriage have been prescribed. The eighteenth rite called *Varnalabha,* is interesting. By it the son after marriage is established in an independent household. The rite also implicity signifies that one's Varna is acquired through the profession one adopts. The Twenty-second rite is called the renunication of the household. A number of rites then relate to the different stages of spiritual attainment. The thirty-third rite is called taking birth as Indra after a religious death. In due course one is born as a *Cakravartin* and a number of rites relate to the life of the *Cakravartin* one of these is the world conquest of the chakravarti which is followed by the exercise of dominion, which is called *Samrajya* and is the forty-seventh *Kriya.* This includes doing favour to the people and keeping them well pleased. The emperor advises the subordinate rulers to protect the people justly and threatens to take away their livelihood in case they act unjustly. Justice is defined in a two-fold manner. It includes the repression of the wicked, and the protection of the good. This is described as the perennial *ksatra dharma.* Following this rule one acquires *dharma-vijaya.* It is obvious that the duty of the emperor is primarily to supervise, instruct and admonish the subordinate rulers. Further rites visualize the adoption of a pure spiritual life by the emperor.

Of these fifty-three rites the forty from *upanayana* onwards along with eight more are called the *Diksanvaya Kriyas.* When a person wishes to adopt the Jaina faith after having realized the falsity of the Vedic religion, he is accepted into the true faith and this is called *avatara.* This is followed by the due acceptance of various vows. This is called *Vrttalabha.* A number of other similar religious rites lead on to *upanayaya.*

The *Kartranvaya Kriyas* belong to those spiritual persons who are fit

for emancipation. These include birth in a pure human family called *Sajjaritva*. This includes not merely the gain of a pure physical birth but also the birth through scaramental rite. After pure birth, physical and spiritual, comes the state of being a good house-holder or *sadgrhitva*. Here the question is raised that the householder engaged in his livelihood is likely to be contaminated by *Himsa*. Against this it is argued that the inevitable violence invovled in earning a living may be purified in three ways called *Paksa*, *Carya*, and *Sadhana*. The first of these is the rejection of violence through renunciation of the attitude of violence. This is attained by the practice of the attitudes of friendliness, sympathetic happiness, compassion and equanimity. The second method of purification is *Carya* which bears the resolve that one would not sacrifice animal life for any God or ritual or medicine or food. Ultimately it also implies renunciation of household life at a certain stage. The third method or *Sadhana* is the purification of the soul through meditation or renunciation at the end of life. The third *kriya* is *Parivrajya*. This is followed by the attainment of *Indrahood*, universal empire, actions appropriate to an *Arhant*, and finally salvation.

It is, thus, obvious that the Brahmanical code of *Varnasram dharma* which constituted a practical and traditional interpretation of the idea of Dharma and served to provide concrete institutional guidance to the rulers as well as the subject, was in course of time adopted by the Jaina tradition with modifications. These modifications were principally of three kinds. They sought to eliminate the role of hereditary priesthood, replace Vedic ritual by Jaina ritual, and avoid violence to life. On the whole, despite its apparent dependence on an earlier Brahmanical scheme, the Jaina code of life, social and individual, religious and political, represents a more liberal, rational and moral scheme of life. The Jaina version of the practical institutes of Dharma clearly represents a reform over the ancient Brahmanical code. It also provides a firm link joining the course of common secular life with the ascetic other-worldiness of the Jaina monk. If we may recall, the *Agama* had described the state as a support for *dharma*. here we have that *dharma* in a codified form which it would be easy for the king to recognise and support.

One of the important aspects of the Brahmanical code was *raja-dharma* or *ksattra-dharma* which comprised the duties of the king. The Jaina version as presented by Jinasena may be gleaned from the advice which he makes Bharata give to the kings assembled in his court on the subject of *Ksattra-vrtta*, the conduct of the ruler. The ruling class was instituted by the first sage in order that the people may be protected against injury. This task of protection is five-fold, which the rulers ought to learn

according to tradition so that they may act in public interest. These five modes of royal functioning are protecting the family, following reason, protecting oneself, protecting the people, and consistency. The first means following the family tradition of the Ksattriya. The Ksattriyas were created by Rsabha. There are two kinds of people in sodety - some who need to be protected, others who can give protection. The creation of the Ksatriya class is the formal recognition of those who can give protection. The ethos or the norm of justice *(Nyaya)* of the Ksattriyas consists in earning wealth within the bounds of right ceousness, its protection, its development, giving it to suitable persons. These four alongwith faith in Jaina principles constitute *Nyaya*. The Ksatriyas or rulers should remember their aristocracy and nobility. They should not accept lessons from non-Jainas. They should regard other Jain rulers as their kinsmen. Even non-Ksattriyas, if they have the right faith, may be Ksattriyas.

The second duty of the kings is to follow reason *(matyanapalapanam)*. Reason is the knowldege which distinguishes good and evil, here and hereafter. Reason is followed by avoiding false principles. This can be done by studying the tradition of Jaina wisdom. This will help in determining supernatural good. Secular good can be ascertained from political science *(Rājavidyā)*. *Dharmasastras* will give the knowledge of both, this and the other world. The third duty of protecting oneself has two aspects. The first is to be careful against enemies and their use of poison or weapons etc. The second protection of the self is from the worldly bondage itself. One must prepare gradually to renounce the fascination of kingship itself. Unless one can protect the spirit, how can one protect the body ?

Protecting the people is the most distinctive duty of the ruler. He should follow a moderate policy which does not agitate the public. He should win the confidence of the people. He must have a strong army, and he must look after the soldiers. If the soldier gets injured, he should be medically treated and suitably provided. If a soldier dies in a battle, his son or brother should be appointed in his place. The king must carefully reward and look after those who serve him. Outlaws should be firmly punished. Livelihood should be provided to the people. Again, the king should help the cultivators by providing them seeds etc. and tax them lightly. The king should build up reserves of farm-production. With respect to foreign policy, the king should follow experience.

Samanjasya means that the king should adopt an attitude of equinimity and detachment. He has to punish enemies without fear and reward friends without favouritism. This quality of viewing things objectively is the principle of being harmonious or *samanjasya*.

It is obvious that in this account Jinsena has drawn upon a variety of sources. Aristocratic tradition, philosophy, Jaina faith and the *niti-sastra* from all of these, Jinasena draws his principles. His main achievement is to join the *Agamic*, the *Puranic* and the *Arthasastric* traditions into a doctrine which not only regards the state as a necessary condition of good life, but as an institution deserving the highest honour, second only to what is owed to the genuine religiox.

V
THE JAINA TRADITION OF NITI

The word *Ksattra-vidya* occurs in the *Chandogya* in a list of sciences and literally means 'the science of dominion.' The great Acarya Sankara explains it as the 'science of archery', but that does not square with the primary sense of the word nor its sense when it is found later in early Buddhist literature. It has been argued that *Ksattra-vidya* should be understood as representing the beginnings of the science of state-craft in India.[1] If we interpret *Ksattra-vidya* as,parallel to *Brahma-vidya* this would appear plausible. As to the surmise that the *Ksattra-vidya* might have consisted of 'maxims of statecraft' at this stage, one may be allowed to demur. The Ksattriyas were actively engaged in philosophy and claimed to be in possession of an independent tradition of knowledge. They were at once rulers and philosopheres. It is, therefore, logical to assume that their wisdom tended to justify their position and functions in the wider scheme of life. *Brahman* and *Ksattra* had been traditionally wisdom and power. If *Brahmavidya* argued for the power of wisdom, eternal as well as enshrined in the Vedic tradition and its specialists, *Ksattravidya* may be supposed to have argued for the wisdom of power, as of the gods, their divine order and its human representatives in the state. Instead of ruling by the wisdom of the priests, the kings claimed to be wise on their own. Wisdom or *Vidya* had already moved away even among a section of the Brahmanas from external ritual action to the understanding of its meaning. One interpretation of ritual meaning was that it was a representation of the creative process, cosmic, social and individual. Participating in it meant sustaining the order and acquiring re-creative immortality for oneself. This idea was generalized to mean that the spirit of self-sacrifice in action would consecrate all action. In other words, an inner wisdom,not derived from any external priestly tradition, could enable men to act rightly.

It is this philosophy of right action that constituted the doctrine of the royal sages as found in the *Upanisads* and the epics. It is the heart of the *Gita* and the *Mahabharata*. The *Ksattra-dharma* or aristocratic ethos depends on it. It interpreted heroism in a moral sense. The duty of the

Ksattriya to fight heroically overrode the mere acquiring of gains. Yudhisthira is the royal hero, the representative of the sovereignty of virtue, *Dharma-raja*. Krsna, the royal philosopher, explains virtue as skill in action, something which lies beyond the *Vedas*. This philosophy of action and moral idealism was acceptable for the householder and the king by those sages of aristocratic origin also who founded Buddhism and Jainism.

There was, however, an inherent tension in the idea of a moral ruler or a purely heroic soldier. How does one draw the line between the skill which leads to success in action and the skill which enables one to act in a spirit of self-sacrifice ? Commitment to action must prompt one to devise means appropriate to the attainment of the end for which the action is directed. Commitment to inner morality, on the other hand, tends to equate success and failure. In practice, this often poses the problem of means versus ends : Theses conflicts are vividly illustrated in the epics. Arjuna and Yudhishtira both pass through moral crisis in action. Krsna and Bhisma act as their guides and philosophers. The gospel of Krsna is generally regarded as a moral philosophy only, although it ends by declaring that the alliance of Krsna the philosopher with Arjuna the warrior ensures glory, victory, prosperity and the perpetual *niti (Dhruvaniti)*. *Niti* in its perpetual or absolute sense, is here seen to issue from *yoga*, the method of skill in action. In accepting *yoga* the ruler gives expression to the perpetual principles of Right, which ensure success as well as goodness.

If *dharma* was duty, the content of moral reason *(viveka, guha)*, *niti* was method, the method of accomplishing duty in concrete situations. *Niti*, thus, may be regarded as the principles and precepts of prudence. There is an essential continuity between *dharma* and *niti*, reason and prudence. That is why *Ksattra-dharma* and *raja-dharma*, *dandaniti* and *rajaniti* are used together and overlap but they are neither identical nor independent.

Yudhishthira wanted an answer to the manifest contradiction between virtue and politics - '*dharmacaryā ca rajya ca nityam eva virudhyate.*' The answer lay in a comprehensive science of life which Svayambhu is said to have formulated and of which *dandaniti* was a prime part so much so that the whole was even called by that name. The encyclopaedic work was successively summarized by Siva and then by Indra and Brhaspati. These versions were called *Vaisalaksa*, *Bahudantaka* and *Barhaspatya*. Sukra further summarized it into a work of a thousand chapters. Such is the history which Bhisma relates of the *dandaniti*. While the intervention of gods may be disregarded, there is not doubt that treatises on *dandaniti* attributed to Visalaksa, Bahudantiputra, Brhaspati and Usanas did exist before Kautalya. The beginnings of this science apparently go back to the

period before the sixth century B.C. We have already suggested that it began originally as a moral philosophy which the rulers could themselves attain and practise. Its practice was bound to add to it principles of prudential policy. The political and intellectual transformations of the 6th century B.C. added new dimensions to it. There was a decline of the aristocratic ethos and a naked sturggle for power. Materialistic philosophy rejected any religious or moral basis for politics. Political scientists claimed to be able to advise the rulers how to win power and enlarge it. *Ksattra-vidya* even acquired a bad odour in some quarters. By the Maurya period it had a number of teachers and schools which had attained celebrity. In the *Arthasastra* of Kautalya it reached its climax. Subsequently, however, it seems to have begun to decline. By the Gupta period the only work which deserves to be mentioned is the *Nitisara* of Kamandaka and in a more general way the famous *Pancatantra*.

Although the word *dandaniti* occurs in the Jaina canon, it does not have the sense of a science there. It has, as mentioned earlier, the sense of Methods of penalizing. Despite the condemention of the *Kautaliya* in the *nandi*, the Jaina *Puranas* show that the commonly established system and policies of government were generally accepted and adapted by the Jaina tradition. It is, theretore, no wonder that Somadevasuri wrote a work in the *niti* tradition. Somadeva was the disciple of Sadhu Nemideva who belonged to the Devasangha. He was the contemporary of the Rastrakuta emperor Krsna III (929-968 A.D.) His particular patron was Vadyaraja .who was the son of a Rastrakuta feudatory. This was the age of the 'tripartite wars,' when Indian rulers were still looked upon with respect by the Arabs although by th next century the situation was to change drastically. Alberuni's account reflects this change.

Whether any systematic Jaina work on *niti* existed before this date is difficult to say Somadeva's *Yasastilaka* as well as *Nitivakyamrta* both contain quotations and views of earlier writers, which does suggest an earlier tradition. It is difficult to say how much of it was Jaina or what were its details.

In the *Mahabharata, nitisastra* is defined to consist of all those means by which society may be prevented from deserting the path of rectitude- *"Yairyair upayair lokasca no caled āryavartmanah/Tatsarvam rajasardūla nitisastre nuvanitam". Niti,* in other words, is the means for securing social good. So Kamandaka states '*nayanan nitir ucyate*' (2.15), *Niti,* is so called because it leads'. Kautalya begins with an account of the four sciences and goes on to the training of the king and goes on to discuss the sciences. Somadeva is more original. He begins by his celebrated obeissance' '*atha dharmarthakamaphalaya rajyaya namah*' The state

is the means of realizing the three values of *dharma*, *artha* and *kama*. This opening is followed by an explanation of the values, after which the training of the king is described and then comes the discussion of the sciences.

Somadeva begins with a definition of *dharma*, which he apparently borrows fotm the *Vaisesikasutras*. This catholicity deserves notice. The definition is peculiarly apt for the purpose. Dharma is that which leads to welfare and salvation. It is a form of conduct and character distinguished by the sense of equality among all beings. We may recall the stress on *Samata* in the Jain canon. The means to this is good-will for others arising from the sense of spiritual sameness. This is again the ancient principle of *atmatula*. The mark of evil is violence towards other beings. Apart from good-will and the sense of equality, virtue requires sacrifice and an austere self-discipline. Charity is a principle form of sacrifice but one must exercise prudence as well as intelligent sympathy in practising it. Austerity consists in the control of the sense and the mind.

Apart from the practice of these inner virtues, one must follow the prescribed conduct and avoid what has been prohibited. The question naturally arises about the source from which one must ascertain prescriptions and prohibitions. The question is particularly important for the ruler which social code was he to sanction ? Somadeva has an interesting answer. He says that prescriptions and prohibitions depend on tradition or *aitihya*. The idea is that a person should discover his duties in terms of the social tradition to which he belongs. The ruler should also accept the tradition which was socially current. If, however, there is some irrationality or contradiction in a tradition, it is for the good people of salvage what is free from such difficulties. This leaves room for rational reform.

It is a fact of life that the attempt to practise virtue makes one unpopular, but one should rather be a martyr that compromise in virtue. Despite this heroic advice, Somadeva believes that one can generally manage to combine happiness with virtue. One has to be firm on avoiding unjust means for happiness. For the rest, happiness is compatible with virtue.

Wealth is a common means for the realization of all ends. To use and enjoy wealth one must follow the full process of earning, saving and increasing. Inherited capital should not be consumed, nor should all the earnings be spent. Saving and investment are fundamental to the proper management of wealth. Apart from non-saving and non-investment, it is also wrong to merely accumulate wealth by exploiting the workers and not spending enough on oneself. Such an accumulation merely goes in

taxation, inheritence and theft.

Sensuous satisfaction has to be within the limits of virtue and wealth. Here Somadeva literally lifts three *sutras* of Kautalya. He, however, enunciates two interesting principles : one is that the study of the *arthasastra* may help in gaining control over sensuality. The other is that while of *dharma, artha* and *kama*, the order is of decreasing value if their conflict is simultaneous. If, however, postponement is possible then *artha* acquires priority.

After this exposition of the values comprising social conduct and welfare, Somadeva goes on to discuss the education of the prince.Kautalya had simply said that the king must abandon the six inimical passions and had roundly declared that the control of the senses constitutes the whole of science. Somadeva follows his lead and adds practical definitions of the six passions. *Kama* is,in this context,having evil intentions with respect to the wives of others or unmarried women. Anger is marked by rashness, greed by illiberality or coveting the wealth of others. Pride is the failure to be instructed or to abandon one's prejudices. Another form of it is vanity on the ground of one's family, strength etc. An evil kind of rejoicing is in inflicting needless torments or deligrating in mere accumulation of wealth.

Somadeva has an interesting definition of the king. The king is the person who can reward or punish in an ultimate manner. This emphasises the supreme charcter of sovereign power. Governance is the functioning of the king in order to protect the state from the wicked and nourish the good.

Somadeva has again an interesting definition of the realm of the country. It is the territory which has *varnas* and *asramas* and has natural and economic resources in adequate measures. While society is here distinguished by a definite order, the economy is simply described in terms of its wealth and resources. The economic order is apparently subsumed within the traditional social order

The *varnas* and *asramas* are described in the traditional Brahmanical manner. No mention is made of the distinctive Jaina view on the subject. Apparently the Jaina thinkers accepted the fact that the rulers had no option but to acquiesce in the traditional Brahmanical system. The reference to the duties of the householder in terms of Brahmanical ritual is, however, more than curious. It seems to suggest that the work has no specific reference to Jaina patrons.

In the tradition of *nitisastra* the education of the ruler is regarded as of fundamental importance. Anarchy is held better than an ignorant king. Native intelligence and the desire to learn are the basic presuppositions of educability. Listening to the *sastras* from the learned and critically

reflecting over it, are the methods of education. Somadeva's treatment of education has little originality and suffers in comparison with Kamankaka's. It is clear, however, that Somadeva does not always expect the king to be studious but he advises him to consort with the wise.

Coming to the traditional four sciences,Somadeva defines *vidya* as that body of knowledge which enables one to recognize one's good and enables one to avoid what would be its opposite.Kautalya had already defined *vidya* as the means of knowing *dharma* and *artha* but Kamandaka had enlarged the definition to include all the four ends of life-"*Vidyābhir ābhir nipunam caturvargam udaradhih/Vidyat tadasam vidyatvam 'vida' jñāne nigadyate//* (2.17).

Although Kamandaka uses the phrase *rajavidya*, it is Somadeva who clearly describes the four *vidyas* as *rajavidya*, "*Anviksiki, Trayi, Varta* and *Danda-niti*, these are the four *rajavidyas.*" (5.55). In Kamandaka, *rajavidya* has the sense of political science as a whole, of the science of all these things which are the peculiar concern of the king. Somadeva's use of the word *Rajavidya* makes it fourfold. This is in keeping with the comprehensive sense of the science of polity which apparently belonged to it in the original treatise of Brahma. From Kautalya we know that the relevance of philosophy and the scriptures was questioned by the two most famous ancient teachers of *niti* viz., Brhaspati and Sukra. Although Kautalya maintained the relevance and independence of all the four sciences, he himself writes largely on *varta* and *dandaniti* The last of these receives the largest attention from Kamandaka who describes *dandaniti* as *sasvati* or ever-lasting, which is in contrast to Kautalya who had described *anviksiki* as *sasvat.*. As a matter of fact philosophy is the logical basis of the other sciences whereas *dandaniti* is their material or causal basis. We have mentioned ealrier that according to a *Jaina upanga*, *rastradharma* is stabler than the *Sruta* and *acaradharma* According to Somadeva the study of philosophy enables one to rationally calculate the pros and cons of action, cultivate equanimity, and acquire intellectual sharpness as well as eloquence, and *Trayi* or *Veda* enables the ruler to know about the conduct of the *varnas* and the whole code of duties *(dharma-sthiti)* . This too is in accordance with the tradition of *niti* rather than of Jaina faith in which the extant Vedic tradition is regarded as a corruption.

Consistent with his general attitude,Somadeva treats philosophy in a non-dogmatic and commonsense manner. Philosophy gives one, inner strength and stability. It is search for the self *(adhyatmayoga)*. The self is the real subject to ego-consciousness. Its immortality is necessary if religious life is to have meaning. Happiness is satisfaction but the mind too

must be satisfied for true happiness. The sources of happiness are indicated by Somadeva with remarkable acuity. These are habit, vanity, imagination and sensation. Unhappiness too is fourfold-natural or dependent on psycho-physical needs and instincts, morbid or arising from illness, accidental or arising from environmental changes, psychic or arising from a sense of social neglect or obstructed desires.

Somadeva's ecletic catholicism may be seen from his commendation of the *lokayata*. We may recall that Kautalya has mentioned *lokayata* as one of the three systems comprising philosophy. It is generally understood as referring to materialism. According to Somadeva the knowledge of *lokayata* enables the king to uproot the thorns of the realm. Apparently, the *lokayata* based its policies on a realistic appraisal of human behaviour. Again, Somadeva in accordance with Jaina principles, declares that no action is absolutely good. Even compassion and peace stand in the way of the exercise of authority. The king must fight opposition. He cannot practise the rule of absolute forgiveness. Doubtless some sinfulness does attach to the violence involved in the king's performance of his duties, but such evil is overwhelmed by the good which the actions of the king promote. On the other hand, if evil were not forcibly supressed, sovereignty would be infinitely evil. It is the nature of the king's office. It involves him in the constraints of a duty which has some evil but a much greater good attaching to it. One may add that in the technical language of Jaina ethics, it is only deliberated violence which involves the householder in sin.

Trayi is defined traditionally in terms of the four *Vedas*, the six *angas* and the four sciences of *itihaspurana*, *mimamsa*, *nyaya* and *dharmasastra* which constitute the fourteen branches of *Trayi*. Their value lies in codifying social duties. Somadeva distinguishes between *sata-Sudras*. and *sat-Sudras* The former are said to be those where women marry only once. We may recall that Jinasena distinguishes between touchable, and untouchable *Sudras*. on the basis of their professions. It is obvious that the social vision of the Jainas tended to accommodate itself to current views. Somadeva however, is liberal about the *Sudras* He not only permits them to live by crafts, but says that if they are of good conduct and physically clean, they are fit for serving the gods. the Brahmanas and the ascetics. Similarly in dealing with the code of ascetics, Somadeva is more liberal than the Brahmanical tradition. He would like the ascetics to follow the code as laid down in their own tradition. Every one should be free to worship the gods in whom they have faith. Worshipping without inner devotion is spiritual vanity.

The king should not only maintain the traditional social order, he should also understand the difference in the psychology of the different

classes. Thus the Brahmanas tend to be meek, the Ksattriyas,aggressive. The farmers are a natural mixture of simplicity and cleverness The lower castes are best controlled by force, fear and money.

Varta is explained traditionally but is shown in a perspective of psychological appreciation. Worldly happiness is said to be full if one has a farm, cows, a vegetable garden and a storage of drinking water in the house. The king should practise the virtue of thrift. He should avoid increasing taxes on import and should provide security to the imported goods. Apparently the kings were tempted to make quick profits by taxing or seizing the goods of trading caravans. Weights and measures must be seen to be correct and the merchants prevented from raising the prices. The king must be personally vigilant in this matter. He should fix the prices correctly on the basis of the cost of manufactures and transport and also the immediate market situation. The sellers should not be allowed to raise the price of goods in their competition for higher profits. Nor should the seller be put to a loss. Somadeva's concern with the justice of the market reminds one of Alauddin's regulations. The king is particularly advised to be strict on local officers, as well as royal favourites. He must also keep the money lenders in strict check.

Coming to *dandaniti,* Somadeva conceives *danda* to be essentially curative. Coercion is needed as a remedy for the ills of the body politic. The employment of coercion or *danda* in accordance with its need constitutes policy or *niti.* An important principle determining this policy consists in using it to further public welfare, not to fill the coffers of the ruler. It hardly needs to be emphasized how important and practical this principle is. The ruler must not be like the greedy physician sucking the patient dry. Nor should the king personally use the wealth obtained from fines, gambling, war, lost property, recovery from thieves, adulterers and revolt among the people. These scores obviously represented popular and tempting occasions of exploitation. The general theory of *dandaniti* is taken over by Somadeva from the older tradition especially Kautalya whose maxims he reproduces. Too little of coercion produces anarchy, too much of it rebellion.

In some ways the most brilliant part of the workof Kautalya relates to the system of departmental administration or *adhyaksa-pracara.* His example was, however, already abadoned by Kamandaka. Somadeva too is nearer Kamandaka than Kautilya in this respect. For him the principle advisers of the king are *mantrin, purohita* and *senapati*. He recalls how Candragupta had become emperor with the support of Visnugupta. A special condition he lays down for the counseller or Mantrin in that he

should belong to the country *(svadesaja)* since the loyalty to one's own country is the strongest. The *mantrin*, ought to be high-born, of sound character, well versed in practical affairs and skilled in the use of arms. This last is, again, an interesting qualification and indicates the insecurity at the court in those times.

The process of taking counsel is described in traditional terms. Counsel should be secret and expeditiously turned into action. It is incumbant on a good counsellor to tender correct advice even if it runs counter to the wishes of the king. Nor should the king disregard the advice to the councellor. The idea behind this advice to the councellor and the king is to exalt the importance of the dispassionate consideration of political principles which enable one to understand the real situation *nitir yathavasthitam artham upalambhayati.* The counsellor in not conceived as a single person but rather as a small body of persons, three, five or seven. These apparently form the inner cabinet of the king, the ancient *Parisad.* In the *Yasastilaka* of Somadeva we find a fictitious account of one such cabinet and its discussions. Here we hear of the divergent speeches of five different counsellors among whom one is regarded as the chief. The others include a *saciva*, a poet, a follower of Carvaka and a counsellor versed in *niti.* The inclusion of a materialistic advisor among the five is highly interesting. The most general principle of policy emphasized is that the people should be kept satisfied *"sarva kopebhyah prakrti-kopo gariyan"* nothing is more ruinous than the rage of the people.

The importance of the *purohita* well versed in the *Veda* and *dandaniti* is admitted fully and unreservedly. One of his functions is to save the realm from natural calamities. The *purohita* was apparently required as much for religious as for superstitious reasons. He was also required for arranging the education of princes.

Somadeva does not say much about the commander of the forces *senapati* He ought to be skilled, brave and loyal. He should not be open to corruption nor inclined to harshness or independence. As an officer of the state he must serve to please the people. For Somadeva war is, in fact, only the last alternative. One must in the first instance seek to gain one's ends by the use of intelligence peacefully. If, however, war be inevitable, one must make full preparations before hand. These should include sowing dissension in the enemy ranks. The best way of doing that is to encourage the kinsmen and possible successors of the enemy. One's own army should be effective in strength rather than large in numbers. This comment must be read in the light of the times. It is well known how the armies of Hindu kings in this period were large and ineffective as proved in their encounters

with the Turks. Somadeva rightly comments that in such a motley collection of troops *(bhuyasi mundamandali)*. the collapse of the weakest leads to chaos for the stronger sections also. He also argues that the sovereign should personally secure the rear. The royal insignia should be placed in the front but the ruler himself should be situated to the rear with the strongest troops. This would appear be a novel view which was generally neglected by Indian armies to their detriment. One is reminded of the third Battle of Panipat where Ahmad Shah Abdali stationed himself with the reserve of camelry armed with light guns *(shutur nal)*, a position which enabled him to retrieve the initial damage inflicted on his front rank.

Somadeva's ideas on war, though brief, are pertinent and highly significant. He shows his awareness of the characteristic weaknesses of the armies of his times. They tended to be unwieldly, fighting without proper intelligence preparations and without adequate care of the reserves. Heroism was their keynote.Somadeva's advice is clear that if the odds are heavy, one must not hesitate to retreat and avoid engagements.

The system of *dharmavijaya* indicating war for the sake of establishing the more right of suzerainty was an old one and Somadeva prefers it to outright conquest called *asura-vijaya.* He does not dislike the loose federal system of polity which it produces.

The ambassador or *duta* was a very important figure in the discussions of *niti* which laid the greatest stress on diplomacy. Three types of *dutas* are described plenipotentiary, emissary with a limited mandate, messenger. Although the *duta* was to enter or leave the foreign country only after due announcement, his real functions were of a secret nature since he was expected to organize espionage and insurgency in the country where he was stationed. The *duta* was recognised to be immune from being killed.

Along with the *duta*. another important figure in *nitisastra* is that of the secret agent or spy. Agents were used for information within and outside the country. They functioned in numerous guises and stations and included assassins and double agents.

An interesting and original section of Somadeva's work is entitled 'On Deliberation'. Here an attempt is made to interpret the methodology of knowledge in the context of governance. These are the well known methods of knowledge : experience, inference and verbal testimony. The first may be interpreted pragmatically as personal knowledge without which a reasonable person will be loth to embark on a new enterprize or desist from one. One should not be led by other people's opinions. In fact, even after personal experience one must critically analyze it before deciding upon any action. One should not act in haste at all.

Inference may be understood as the inference of intentions and character

from overt behaviour. The functioning and capability of an official, thus, has to be inferred from a sampling of his actions. So have the potentialities of princes to be discovered as also the future of men from the vicissitudes of their character.

The value of testimony depends on the character of the informant. The reliable informant is one who reports exactly and is not given to ornament.

These ways of knowledge emphasize the need for the exercise of critical circumspection and of estimating character, potentiality and the future from present behaviour and tendencies. This is important because man common practice to provide against scarcity. The stores should be annually replaced and spent. In particular *Kodrava* and salt should be stored.

Janapada, the next constituent, is territory settled with the people. Its virtue lies in its natural resources, just adequate population, independence of rain, salubrious climate for men and animals, and in its abundance of guilds and crafts. The *Janapada* and the sovereign should be mutually loyal. The means of irrigation must remove dependence on rain. About the people Somadeva would like to keep Brahmanas and Ksattriyas in only moderate numbers and avoid Mlechas altogether. Guilds and *Sudras* he would like to encourage. About Sudras Kautalya had felt the same.It seems that the royal demesne in particular required a supply of reliable labourers, which could come only from the Sudras. It also shows that the Sudras formed the bulk of the hired labouring population both on the farms and in the crafts. The taxes on the people must not be increased. Nor should military marches upset the farmers. If any concession has been given before, it must not be revoked. Wherever the people have been impoverished,the ruler must help them.No wealth should be appropriated by the ruler except when duly given to him. Some remission in taxes is always welcome by the people. The excellence and permenent validity of these principles hardly needs to be emphasized.

There has been a lot of discussion in recent years about land-grants to officials and feudatories. It is worth noting that Somadeva does not mention any such grants. He recommends only grants to Brahmanas and temples.

Durgas or forts signify barriers for the enemy and places of safety for the people of the country. They may be natural or artificial. They should be inaccessible from outside, spacious within, with well-stocked stores and brave defenders.The way to capture a fort is to corrupt the defenders, invest it for a long time or assault it with specially trained commandoes.

Kosa or treasury should be full of gold and silver and current coins. It should be capable of helping in any emergency. It has to be built up by

gradual accumulation. The treasury is the very life of the rulers. A full treasury enables one to win popularity. Somadeva announces that what attracts people is wealth, not the nobility of birth or conduct. If one has wealth one would not be hard put to acquire social status and recognition. Money is in effect the principal means of social climbing.

Bala or military force is said to be of six types, viz. *maula, bhrtaka, bhrtya, sreni, mitra* and *atavika*, of which each preceding is preferable to each succeeding one. The first or hereditary troopes were traditionally held in high esteem on account of their loyalty. The emphasis was on their connection with the ruling family for generations. For the rest, the one original point made by Somadeva is to substitute the 'enemy force' mentioned in earlier works by '*bhrtya*' or 'servants'. Of the branches of the army the elephant corps is held in the highest esteem. The cavalry is put in tends to be credulous and imitative by nature. The people tend to follow appearances. The ruler must remember this and for himself apply criticism.

The theory of the Seven Limbs of the state is familiar in the tradition of *nitisastra* and Somadeva takes it for granted. He merely expresses some ideas on the various constituents of the state. The sovereign is the source of all the constituents. He should have an exalted council, avoid injustice and arbitrariness. He is the source of commands and the efficiency which belongs to his commands is the measure of his authority. He must zealously guard the supermacy of his authority. Not even royal princes should be allowed to disregard the command of the king. Not only is the sovereign the head of the constituents and the final source of commands, he sets the model for the people by his conduct. That is, he is the moral leader of the people. He is also the superior of the administrative machinery. He must specially guard against corruption. On him rests the task of maintaining the social order and ethos. "He is the maker of the age". If the king is just, the people are prosperous. But he must strive after their prosperities. He must treat the whole country as his family and help the poor and the needy.

The second constituent of the state is *amatya* or ministry. There are four functions of the *amatya*- looking after income and expenditure, security of the king, maintenance of the forces. Somadeva's advice is that no Brahmana or Ksattriya or kinsman of the king should be appointed *amatya*. The Brahmana is unable to spend money.The Ksattriya tends to be rebellious. The kinsman tends to exploit his position. It seems to follow that the Vaisyas are the most suitable for the postition of *amatya* where functions are mainly financial and supervisory. Somadeva repeats the precept of the *Arthasastra* that offices should be headed by several changeable officers. The principal offices, which are called *karana* rather

than *adhikarana*, are stated to be of the Receiver, the Registrar, the Accountant, the Treasurer and the Superintendent. It would be noticed that all these offices are connected with financial management. There was a careful system of comparing income, expenditure and the money in hand and experts investigated all discrepancies. To avoid corruption there was constant inspection, transfer of offices, and a system of rewards and punishments. If an officer acquires sudden affluence, his increased wealth should be taken away by the king. Somadeva uses the old Vedic concept of *vasudhara* in the new sense of the officers not blocking the flow of wealth but assisting it.

The secret of administration is pithily expressed by saying that it is to put the right man in the right office. The officials must learn that their success depends not on the favour of the ruler but on their own intelligence and initiative. These are perpetually valid principles of administration but hard to practise.

The ruler must keep adequate stores of grain. It is worth remembering that epigraphic evidence from ancient times suggests that it was a the second place. The chariots are still mentioned though it is doubtful if they played any significant part in the author's time in war. Somadeva emphasizes the need for keeping the army satisfied and loyal. Morale or *utsaha* is counted as a major force and loyalty or *anuraktatvam* is an essential component of it. The troops must be paid regularly and the dependents of soldiers must be looked after in the hour of need. The ruler must take a personal interest in the army.

On the ally Somadeva is disappointing. He appears sidetracked into thinking of private friendship only. Having so far described the principal ends and sciences and then the principal officers and constituents of the state, Somadeva now turns back to the sovereign instead of moving to diplomacy and foreign policy. He suggests various ways in which the king may be protected from those who may have an interest in succession. His estimate of women is poor and he does not favour too much freedom or education for them but he praises monogamy Assassinations through women and the revolts of prince need to be guarded against.

Dealing with the daily routine of the king, Somadeva has many interesting observations but they largely relate to the personal health of the ruler, physical as well as mental. Two of his incidental observations in this section are, however of great significance. He would like the ruler to engage in worship regularly. In this connection he avoids mentioning the Vedic mode of worship or conception of deity. Instead he adopts the *yoga* definition of God and says "A person free from passions, the bondage of

karman · and its consequences and inner tendencies is divine." Such persons are called *Arhant, Sambhu* or *Buddha*. This is an excellent example of the spirit of religious synthesis. We may recall that the celebrated Udayana who sought to defend the Vedic conception of God similarly agreed that the Arhant and Buddha refer to the same reality which is called by other names among the Brahmanical sects. He also stated that the Brahmanical socio-ritual order was in practice not abandoned by the non-Vedic sects. This is more or less confirmed by Jinasena II and Somadeva who seem to accept the current order of castes and much of the ritual scheme. They undoubtedly have some theoretical or interpretative differences as well as differences on what constitutes ritual and they do oppose animal sacrifices and many Brahmanical dogmas; nevertheless, their spirit is one of distinct accomodation towards the popular and traditional social order.

Another important point made by Somadeva is that he would like the ruler to meditate on the nature of the realm and his duty to protect it. The formula he proposes reveals his conception of royal duty in all its nobility. "The earth is like a cow with the four seas as its udders, *dharma* as its calf, energy as its tail, the order of *varnasrama* as its hooves, *kama* and *artha* as its ears. policy and power as its horns, truth and purity as its eyes, justice as its mouth. I have to protect it and fight those who are guilty towards it." The identity of the earth and the cow was an ancient idea which can be seen in the *Vedas* as well as in the *Avesta*. The immediate source of the metaphor is apparently the *Raghuvamsa* of Kalidasa. Nevertheless, the detailed parallel and the need for taking it as a theme of religious meditation are new. Here we have in effect a definition of the state in terms of its imperial or rather national boundaries, system of social ethics, political values of virtue, justice, security and welfare, and the means of political action viz., policy and power. The king is conceived as the dutiful servant of the realm in the image of Dilipa, not as the enjoyer of the realm, which was the other common conception in those days. Indeed these two attitudes are perennial in politics. A few wish to serve, while most wish to enjoy.

Dealing with right conduct, Somadeva makes it clear that Brahmanahood really consists in following rules of morality, acquiring learning, truth, pity, and fortitude, not in the accident of birth. This was an ancient view, occasionally expressed in Buddhist and Jaina writings. We are further told that the true sacrifice for a king consists in protecting the people, not sacrificing animals.

On the dispensation of justice we are told that the king has to be neutral

like the balance. The assessors or *Sabhyas* should expound the facts as they are and should not have any personal interest in the matter. The litigants should be present in the court when called and should answer questions simply, consistently and truthfully. Possession, witness and documents are the three sources of proof. Possession should not be questionable, nor the witness censurable, nor the document forged. Anything done under duress or unjustly or amounting to a fraud on the state will lack validity. *Divya* or supernatural testing is recommended in some limited types of cases. Disputes are to be settled at various levels, rural and urban, but the king and his court constitute the highest court.

The discussion of foreign policy begins with a brief discussion of the relative force of fate and human effort. Fate is undeniable but one cannot but rely on effort. The king in particular must remember that he is like a God. He combines in himself the leaming of *Brahma*. He has the soveregnty nourishing the welfare and happiness of the people, which is like the Laksmi of Narayana. And he is like Rudra in dealing with criminals and enemies. The *mandala*, the stances of policy, the three powers and the four methods are brietly described in the traditional manner. Incidentally there are some interesting observations on the role of assemblies and popular organisations. An assembly with many leaders or none is dangerous. Nor should one seek to head a *gana* or republic where the sense of equality prevents any special gain for the leader although he is saddled with special responsibility. The voice of many people if organized should be respected and one should not seek to put it down by the use of punishment.

A last point deserves mention. Although Somadeva is not a believer in the divinity of the king in any serious sense, he mentions more than once that the king is like a god among men. At one place he calls him a 'visible deity' *(pratyaksa-devata)* who should not bow to any body. At another place he declares the king to have the combined aspects of the Hindu Trinity. Finally he declares that the ruler is the force of sovereignty *(ksatra-tejah)*, a human divinity *(purusa-devata)* Even his picture should not be shown disregard. The reference to *purusa-devata* reminds one of the expression *nara-deva* which is found in the early Jaina canon.

In his other famous work, *YJasastilakacampu*, Somadeva has expounded the Jaina view of life much more clearly and distinctively but even there the treatment of *niti* follows the same lines as in the work just discussed. About his attitude towards popular and Brahmanical customs and institutions he states clearly that householders follow a dual ethos, one based in social practice, the other based on *Agama*. There are many social

practices which belong to different *jatis*. It does not matter whether they are based on some non-Jaina scriptures. The affairs of the world move on by themselves i.e.,by instinct, natural reason and habit. It is useless to search canonical guidance in such matters. For this reason the Jainas have no objection to accepting all such social practices which do not destroy *Samyaktva* or *Vrata*. *Sarvo hi jainanam pramanam laukiko vidhih/ Yatra samyaktvahanir na yatra na vrata-dusanam//*

This seems to contain a distinction between religious and secular aspects of social life. Much of *niti* would tend to fall within the secular aspect which does not need canonical guidance. Such a point of view tends to accept the traditional point of view of *niti sastra* which sought to avoid metaphysical or religious commitments, taking social opinions and customs as facts to be respected in the formulation of policy.

VI
THE JAINA NITI-TRADITION: HEMACANDRA

Hemacandra was born in A.D.1088 in the Modh Bania community of Gujrat at a place called Dhandhuka. He was initiated at the tender age of five by Deva Suri and soon acquired eminence on account of his extra ordinary brilliance. He graced the court of the great Calukya ruler Jayasimha Siddharaja who ruled till about A.D.1143. King Kumarapala who succeeded him appears to have changed his religion owing to the influence of Hemacandra in A.D. 1157. It is for the instruction of Kumarapala that Hemacandra composed his *Laghavarhanniti* Somaprabha's *Kumarapala-pratibodha* also tells us about the instructions which the Acarya gave to his royal disciple. Compared to Somadeva's *Nitivakyamrta*. Hemacandra's *Laghavarhanniti* is a much more systematic and refined work. It is also much more technical. For the greater part it appears like a blend between a *niti*- work concentrating on diplomacy and war and a *smrti*-work emphasizing law. Although Hemacandra relies on earlier works of *niti* and *smrti* there is no doubt that he has produced a distinctly original work to which there is no parallel in the Jaina tradition.

Dr. Ghoshal is hardly fair when he says of Somadeva and Hemacandra that "of any very striking originality there is in either of these works hardly any trace."The fact is that the originality of these works lies in their successful adaptation of the *niti*-tradition to the tradition of Jaina thought. The nature of this adaptation has been misunderstood by Dr. Ghoshal who curiously remarks, ".....While Buddhist canonists in general deliberately make their characteristic principle of righteousness the foundation of governmental policies, the Jaina authors no less emphatically ignore their distinctive moral principle of non-injury *(ahimsa)* in deference to the needs of the state administration". Dr. Ghoshal seems to think that the acclimatisation of *niti* in the Jaina faith meant a giving up of the Jaina faith, implying a giving up of the Jaina tenet of *ahimsa*. He forgets that from the very beginning both Buddhism and Jainism had admitted that rulership and administration are compatible with the practice of the faith as a

householder. Both accepted the notion of an ideal, universal ruler who was conceived differently than in the Brahmanical tradition. Both maintained a strict distinction between the Universal Ruler and the enlightened teacher. It is true that the Buddhist tradition suggests at places that the universal Ruler does not rule by force but by righteousness alone. At the same time the difficulties of this idea were not entirely lost on them. They did realize that it would be virtually impossible to find any one who could rule by righteousness alone. Perhaps Buddha could but he would not agree to it. This, in effect, reduces the Buddhist idea to an impracticable ideal. The Jaina concept of the Universal Ruler, on the other hand, is that of a righteous person who commands sovereign force in the interest of righteousness, which does not have the same meaning for a householder as it has for a monk. The knowledge of anything in its absoluteness or infinity is attainable only in omniscience which does not have the same meaning for a householder as it has for a monk. For the rest we must recognize relativity. A ruler who has abandoned intentional violence is, thus, to be deemed righteous relative to one who has not done so but he will have to be considered unrighteous relative to a saint who has renounced all violent action. The theory of relativity has been essential to Jainism and it made it possible for it to appreciate the specific character of political life without at the same time abandoning its commitment to non-violence as the supreme value.

One other difference must be noticed between Buddhist and Jaina thought. Jainism believes in *Kriyavada* while Buddhism tends to be ultimately *Akiryavadin*. For Buddhism there is an ultimate discontinuity between the world of action and the eternity of knowledge. Righteousness is, therefore, like a raft to be left behind when one crosses over to the other shore. This tends to make the world of action with its distinctions of right and wrong ultimately unreal. Such an attitude was unlikely to help the growth of a science of politics except in a negative sense of a plea for abandoning violence. Its gnostic tendency stood in the way of Buddhist moral consciousness formulating a detailed positive alternative to the socio-political systems it did not favour. The result was that in India as well as China where it had to contend with a well-entrenched social system, it tended to compromise or was edged out. Jainism, on the other hand, was realistic. It believed in the reality of action and its two poles, the self and the world. The power of action inhered in the soul and continued in it eternally. Reality is not only compatible with change, it requires change. Such a theory of a real and yet changeable world where souls are engaged in action cannot credit any finite aspect with absolute reality or unreality. I

have, therefore, argued that the theory of *Anekanta* is a necessary postulate of the commitment to action.[2] This also made it imperative to evolve detailed norms and prescriptions for the guidance of the common man. The negative advice to avoid evil can be practised only in the context of doing things, which needs a code of duties. The *Anuvratas*, thus came to be gradually filled in with more and more elaborate advice and the upasaka-dharma or *sravakaras* developed into a detailed code which could be an alternative to the *smrti* code. It is this which made it possible to evolve a Jaina version of *niti*. This version did not require a reformulation of institutions which arose from natural and historical reasons. Actual political conditions were common; they were not Brahmanical, Buddhist and Jaina, although there were Brahmanical, Buddhist and Jaina philosophies and ideas of how these conditions should be understood and what should guide one's response to them. The modern idea of deliberate and large-scale institutional change was not current in ancient times not merely because ancient thought did not regard societies as prime instances of independent and rational being and their history as the prime form of destiny, but also because th sweep of socio-historical change was much more limited in classical times in India. It does not, therefore, make sense except the Jaina version of *niti* to be original in any sense except that of orientation. The tradition of *niti* was in its classical form realistic, not speculative. It arose as part of a process of historical development which necessitated a new organizing effort parallel to the new conditions of livelihood, administration and war.

The ideal of *ahimsa* in politics can only be interpreted relatively, not absolutely, and the search for realizing the ideal must be for concrete ways of reducing *himsa*. The effort to achieve this kind of thinking, at once practical and idealistic is exemplified in the Jaina tradition. It is bound to disappoint those who search for absolutes in life, for radical extremes of thought and action in ethics and politics. It has, however, the compensating virtue of achieving something in actuality. The Buddha could possibly stop Nalagiri and Angulimala by sheer moral force but Devadatta remained impervious to his influence. Neither was the Roman governor amenable to the universal love of Jesus nor was Godse influenced by Gandhiji's aura of ahimsa. Buddha and Mahavira did not even seek to intervene in the war between Magadha and the Licchavis. Nor did they ever seek to become Righteous Rulers themselves. How, then, can one speak of the Righteous Ruler as one who rules by righteousness alone without any force ? Such an ideal will surely lie beyond the bounds of practicability. Asoka perhaps sought to practise the ideal of peace more seriously than

the *Cakravartin* and knowing the secret of *niti* and *dharma*, composed the four Pure Vedas *(Arya-Vedas)* for the maintenance of the world-order so that all the people could acquire skill in realizing for themselves the human ends. In course of time, however, the original *Vedas* were lost and corrupted by *himsa* etc. and seized by people with false beliefs. As a result the good people *(Aryas)* abandoned the old texts. New works were composed by ancient masters and they still survive and people still conduct their social practice on their basis. Such was the origin of the tradition of political science.

This account asserts the existence of an ancient treatise recording the instructions of Mahavira to Srenika. That treatise is said to have asserted the currency of earlier works on polity which had replaced the still earlier tradition of the original *Vedas* after they had become corrupted. These original *Vedas* were the work of Bharata who had followed Rsabha. Now the historicity of Bharata and Rsabha is as unproved as the existence of a purer form of the *Vedas*. It follows, then, that the account of the origin of *Rajaniti* contained in the *Brahadarhanniti* was legendary or Puranic in any other but he could not think of ruling without the instruments of force.

The rulers whom Hemacandra sought to advise were no Asokas. Jayasimha was not even a Jaina and although Kumarapala did become a Jaina, he did not totally relinquish his interest in Saivism. Hemacandra says that he composed his work on *niti* at the insistence of king Kumarapala. He claims to have relied on an ancient *sastra* called *Arhanniti* to which he refers occasionally and which he even quotes at places. From these references and quotations this work seems to have been real, and written in *Prakrta*. We are told that once king Srenika asked Lord Mahavira outside Rajagrha about *rajaniti* "who revealed it first, how many varieties does it have, what is its real nature ?" To these questions the answer of the Lord was that in the past age Rsabha became the first king. At that time on account of the influence of the epoch the wish-trees had become extinct and the people of the Bharata country were committed to conflicts and fraudulent ways *(Kalicchadma-parayanah)*. Out of compassion Bharata rescinded the ancient ethos *(dharma)* of the people who used to be born as pairs Instead he founded the division of *varnas* and *asramas*, the prescriptions of personal rites *(samskaras)*, the method for the practice of agriculture, commerce, crafts etc., the path of *niti* for the rulers, settelments of towns and ports, all the sciences and practical ways of life, worldly as well as other-worldly. All these were revealed by the Lord for the welfare of the people. His son Bharata followed the instructions of his father and acquiring the Nine Treasures of

character. Nevertheless, it does seem that prior to Hemacandra a work called *Arhanniti* and written in Prakrta was current and it claimed to record the teachings of Mahavira on polity delivered for the benefit of Srenika. This work presupposed the Puranic tradition and it is difficult to speak of its antiquity. Its authenticity is somewhat doubtful in view of the fact that the canonical works do not at all mention or imply such secular instructions on the part of Mahavira after the attainment of omniscience. But we can still conclude that Hemacandra as also Somadeva were writing in an old tradition. At some date after the original canon had been mostly lost, Jaina authors and scholars created a body of social and political thinking which leaned on ancient Puranic tradition as also the Brahmanical *niti* tradition. This Jaina tradition of which the earlier works have been lost, reached its climax among extant works in Hemacandra's *Arhanniti*.

The account of the origin of *rajaniti* summarized by Hemacandra has certain implications about its nature, which may be noted. The first is that *rajaniti* is held to be distinct from but connected with *dharma* and *vyavahara* or *varta*. The whole complex is again subsumed under *niti* and *varta*. These are a part of the theory and practice aiming at the promotion of the secular good of society, which again, is not separable from the other-worldly good of the people. It may be recalled that human actions simultaneously produce consequences in this world as well as the next. Since the other-worldly consequences cannot be known by natural reason or experience, they have to be known in terms of a tradition of knowledge founded by those who have attained omniscience. In all actions man must be aware of both types of consequences viz., natural gains and losses as well as the experiences to which he becomes destined by the subtle force of *karman* set in motion by his actions. The ordinary man as distinct from the *kevalin* knows the two types of consequences in two different ways. He knows about the natural consequences on the analogy of his personal experiences and inferences based on them. Although the force of such knowledge is weaker than that of present experience and it needs a strong rational nature to act by an appreciation of future consequences, nevertheless the force of consequences apprehended by faith alone is weaker still. Human action, thus, is influenced by three kinds of apprehensions, each weaker but higher than the other viz., present perception, rational inference about this worldly future, and faith based on tradition *(agama)* about the other world. *Niti* systematizes principles on which the second kind of anticipations may be based while *dharma* is the source of the third kind of awareness. In this sense *niti* and *dharma*

constitute twin sciences *(vidya),* secular and religious *(aihikmusmika),* of public good *(lokanam hitakamyaya)* Both being 'ways'or *margas* are constituted by principles of hypothetical prediction on which men rely in the course of their purposive social behaviour *(tan asritya jano lokavyavahare pravartate).* It may be recalled that a '*marga* directly consists of normative rules *(sadhana-vidhi)* for the attainment of ends but presupposes a body of descriptive rules *(siddhanta. tattva)* establishing causal connections between means and ends and also at least a working conception of desirable ends and generally available means.

Despite their basis in rational and supra-rational knowledge respectively, the formulated systems of *niti* and *dharma* are relative to historically given conditions. This is proved by the fact that although both were originally revealed by Rsabha, their socially current tradition changed in course of time and had to be renewed.While in the case of *lokottaru dharma* the essence as comprehended by the *kevalin* remains unchanged, the actual tradition as remembered and practised does undergo change through corruption as after Bharata or through forgetfulness as after Mahavira. In the case of *lokottura dharma* thus, there is a periodical renewal. In the case of *laukika dharma,* the epochal changes are final within the cycle as for example, occured when the ancient ethos of the twins *(purātana dharma)* broke down. As far as *niti* is concerned, it changed in content as well as formulation. One may sum up by saying that *niti* was revealed by the first enlightened ruler of the human community for its good *praduskrata bhagavan lokanāṁ hita Kāmyaya)* and is constituted by a body of practical rules on which the people rely in the course of conducting their social behaviour *lokavyavahāre pravartate)* One may say *adau lokahitartham bhagavata praduskrat dharmasahakrta yuganurpam purvacaryair vinirmita loka vyavahāra pravrttyasrayabhuta nitih*

Hemachandra's description of *rajniti* falls into two unequal parts, a shorter one dealing with the principal constituents of the state, and a longer one dealing with a variety of state policies. Hemcandra, takes for granted the technical elements which had been formulated in the earlier tradition. He mentions them but does not describe them in detail. This helps to save his work from needless repetition Of the offices of the state he describes those of the counseller, the military chief and the ambassador as the most important. The king as a sovereign is the linchpin of the state. The counsellor represents the whole apparatus of council and assistance, spreading out into the administrative system. The military commander signifies the organisation of defence and offence. The ambassador is the prime instrument of diplomacy. These four, sovereignty, administration,

war and diplomacy,constitute the principal aspects of political activity.

A person possessing thirty-six qualities alone may be regarded as a king in reality. Some of these refer to physical features. The king must not be physically crippled or handicapped. He should have all the signs appropriate to the king and his physical aspect should be well-formed. The significance of these remarks is two-fold. It was an ancient rule that a person was not regarded to be fit for succession if he suffered from a severe physical handicap, such as blindness. Similarly it was an ancient belief that the universal emperors possessed certain distinctive physical marks. It was also a popular belief that in some ways ones destiny is writ large in one's physiognomy. In any case, even from a rational point of view, the possession of all faculties and the possession of an impressive **personality** are an initial boost to one who would exercise sovereignty.

Though physically well-endowed, the king should be free from vanity. His personality should be forceful, winning the admiration of all. At the same time he should be compassionate by nature. He should be well educated in different arts as well as the science of peace and war. With all these endowments of body and mind and the benefits of education and training, he should also belong to a pure royal family. He should listen to the elders, love the people, and delight in instructing them. He should possess the three powers of authority, counsel, and morale. He should pursue the three human values without excess in any direction. His treasury should be full. He should himself be honest, well-informed through his spies, taking farsighted counsel, industrious and indefatigable, just in his punishments and favours, acquiring sovereignty through proper means, magnanimous, victorious, devoted to justice and well-versed in its principles, eradicating the reasons leading to the perversion of the constituents of the state, energetic and irrepressible, severe, catholic, ingeneous, quickly appeared by submission and of a noble nature.

Some of these qualities are personal and native, some depend an application and some relate to the manner in which the state is run. It is obviously an ideal description but it shows popular expectations.The mere fact that one belonged to the royal family and obtained kingship through hereditary title, did not ensure any security in holding that position, nor did it ensure popular esteem or support. There is no trace here of any theory of divine right. The people are not advised to acquiesce in merely legitimacy. Wars of succession were indeed common and Hemacandra's own patron, Kumarapala had to fight for the throne. Indeed, Jaya Simha Siddha Rajawas not convinced of the title of KumaraPala Thus although, the sovereign is conceived as a monarch and monarchy was

conceived to be normally hereditary, nevertheless, it is fully realized here that to be a sovereign, really and successfully, one ought to have the natural qualities of leadership, proper training, a high moral character, especially in terms of the great virtues of justice, courage, temperance, and magnanimity. Along with these qualities one must follow a policy which would further the public interest and please the people while keeping them in order. The whole point of the *niti sastra* is that acquiring and exercising sovereign authority is not assured by any mechanical system. Nor is mere personal force adequate. The proper exercise of sovereign depends on proper training and proper formulation of policy. Success can come only if popular welfare, justice and happiness are combined with enlightened leadership and effective management. *Niti* thinkers thus reject by implication, the adequacy of mere natural or hereditary rights. They do not accept that power won by mere force, cruelty or terror deserves to be accepted as real sovereignty. For Hemacandra, the real king must be a great man, well educated, especially in the principles of governance and devoted to the interest of the people.

Perhaps one may say that all this relates to a form of government which appears to have disappeared for ever. Even when monarchy was the order of the day, one may doubt if idealistic advice was of any avail. Kings are notoriously averse to listening to advice as many an adviser had discovered to his grief. Against such cynicism, one can only say that during the classical period of Indian history, the tradition of *niti* was not wholly ineffective. Its origins belong to a period when monarchy was part of a community with high political virtue. The famous kings of ancient times did realize the ideals of heroism, educational training, and a genuine consideration for the people. It may, however, be admitted that this tradition declined in the medieaval period when the tradition of *niti-sastra* also tended to disappear. As for the disappearance of monarchy, one may be allowed to submit that the qualities described for the sovereign are now needed by a much larger number of persons. The fact that 500 persons exercise sovereignty today does not make the question of their moral qualifications and educational training, any the less important. As already mentioned the *niti* tradition rejects the idea of any natural right or any natural ability as a self-sufficient title to successful governance. In every case moral and educational training are necessary and so is expertise in management and the framing of policies. If millions of people have stepped into the place of the king, they all need the training of the king to the extent to which they actually participate in the kingship.

It may be argued that every man knows his own interests and if his

representatives rule, what they normally do would automatically serve his interests. In this way, democracy may be said to eliminate the need for any special training or education in the basic exercise of sovereignty. It is for this reason, in fact, that no moral or educational qualifications have been laid down for our legislators. Even for administrators hardly any moral qualifications have been laid down. From the point of view of *niti-sastra* this is an unhappy situation because even the common man needs education and training to understand his own true interests and happiness. The need for such education and training is obviously much more in the case of those who seek to represent or administer the interests of others. If this was so in the simpler conditions of ancient times, it is much more so in the complex conditions of today where most affairs have to be managed indirectly. The ancient principle was that *rajaniti* is a part of *niti*. Every man needs to manage his affairs with reason and prudence. Those who rule need such guidance even more. The famous *Pancatantra* brilliantly illustrates how the same basic principles are relevant to the management of affairs, private as well as public. That these principles can be taught, is of course, a basic assumption of *niti-sastra*. It assumes that there is an art of management in life with which political management is continuous. Proficiency in this art, given the initial qualifications, is amenable to training.

A number of general rules are prescribed for the ruler. One of these is that he should not bow down to anyone except the gods, his teachers, the Brahmanas, the elders of the family and the ascetics. This apparently was a kind of protocol which showed the superiority of the king to all others. Some of the rules mentioned are from the point of view of king's safety. He should avoid contact with others in his food, clothes, bed, seat etc.

The king was expected to be lenient towards women, Brahmanas and ascetics. Even if they commit a thousand faults, they should neither be mutilated nor killed. The maximum punishment for them should be turning out of the country. Virtue, wealth and pleasure should not be pursued to the point of contradiction. The king should always think of the people and see that they are not being exploited by the officials. No one should be punished out of greed or anger or pride. Punishment should be strictly in accordance with one's fault. The king should work hard, the treasury should be kept full, the welfare of the country and the protection of the people should be accomplished by *niti*. Those who seek welfare should never abandon the path of *niti*. The king must remember that if he is unjust, he should suffer both here as well as hereafter. There are in short, five principal duties of the king and these constitute his five sacrifices. These are curbing the wicked,

honouring the good, just collection of wealth, impartial administration, and finally defending the country from enemies.

The officers and servants close to the king should be hereditary. These are bodyguards, door-keepers, chamberlains, and cooks among personal officers and on the other hand, counsellors and commanders. Some familiar faults and temptations should be avoided. These include not only gambling, women, wine but also hunting, harsh speech and wasteful expenditure. These 'don'ts' should be appreciated in the context of the ideas then current. Wine, women and gambling were the peculiar vices to which aristocracy was prone from the times of the epics and are duly noted in the *Arthasastra*. The inclusion of hunting, an old aristocratic pastime which finds praise in the *Sakuntala*, shows a distinctive Jaina proclivity. Addiction to music and theatre, too, are noted as dangerous by Hemacandra. One would like to add that all these addictions, except hunting are no prerogatives of aristocracy or monarchy alone. Any ruling class distinguished by wealth and power tends to be attracted to these addictions

The king is repeatedly advised to avoid favouritism in the dispensation of justice. In certain matters the king must take direct interest without relying on representatives. Such are worship, the protection of the people and the giving of economic support to the needy. The king must not lose his head in the hour of success nor his fortitude in a calamity. Such equanimity is the mark of nobility. Acts of public munificience are important for the king. He should encourage learning, distribute free food, make provision for drinking water, rest houses etc.

Coming to purely political policies and principles the king is advised to secure the Three Powers, Four Means, Seven Constituents. These three parts of the state need constant attention. The three powers are of *Prabhu*, *Utsaha* and *Mantra*. The means are conciliation, gifts, force and causing dissension. The constituents are not only the familiar seven but we are told that some count the people, *prakrti*, as the eighth. The six strands of policy are like the pillars of the state. These are the well known *Sandhi*, *Vigraha*, *Yana*, *Asana*, *Asraya* and *Dvaidhi-bhava*. All these are traditional concepts to which Hemacandra does not attempt to add.

He advises stern punishment including the extreme penalty on all those who exploit the people, seek sovereign power, accept bribes, or commit robbery. Public order must be firmly established so that the people may feel secure.

Coming next to the *mantrin*, he is required in the first instance to belong to a good family. He should be well versed in the *sastras* including the six systems of philosophy. In particular he should be well-versed in *dandaniti*. He should have high moral, intellectual and practical qualities. He should

be truthful, patient, liberal just and courageous. He should be free from addictions. He should be a sound judge of persons and possess the gift of foresight. He should be a man of deep faith and he should be able to look upon a guilty brother and an enemy alike.

This implies that the basic mode of selecting a minister was to choose him from the families in which such office was hereditary. This practice was known from much earlier days both from epigraphs as well as Niti texts. Although the advice to choose a hereditary minister was often followed, it never foreclosed the options of the ruler.

Another point which is implicit in this description is that the minister was expected to function with considerable independence. His prime function is not to simply carry out the orders and wishes of the king but rather to assess the situation in the light of principles and assist in the formulation of politics. "He should constantly deliberate over justice which is like discriminating milk from water in a maximum of both. He should formulate a path which is proper for the king and which is traditional". Such a minister will cause the state to grow. The qualities and functions of the minister make him the alter ego of the king. He undoubtedly lacked the position of the Vedic priest vis-a-vis the Vedic king but of his containing importance there can be no doubt.

The minister is advised to avoid acting from anger, greed, pride or vanity and always to speak what is conducive to welfare. He must not take sides in the decision of cases and should be devoted only to the good of the people. After consulting properly, he was to so act with reference to other constituents of the state as well enemy states that the work of the sovereign is not impeded.

It would be seen from the above that the greatest stress has been laid on the king and the minister acting in public, not private interest. *Prajahita* is to be their sole criterion. Public welfare and impartial justice are to be secured by the application of a wise, trained and virtuous mind. Sovereignty is not conceived here as personal or clan property, nor as a game of power. It is not even conceived as the enjoyment of wealth and power. It is not a matter of divine right nor a necessary evil arising from anarchy. Sovereignty is conceived here from a stand point of high moral idealism and a great faith in the efficacy of knowledge, training and virtue. The king and his high officers are expected to have teachers and advisors. The rulers are expected to follow wisdom and exercise self-control so that they may serve the general good. This elevated moral and practical teaching and its sublime faith in wisdom and training is worthy of emanating from Mahavira or at least of being connected with his name.

It is worth noting that this tradition of political thought does not emphasize either the merely realistic considerations of power nor the merely formal questions of legitimacy. Nor does it think that justice can be achieved and arbitrariness or tyranny checked by merely constitutional arrangements. Whatever the political forms, political power tends to gravitate towards clever, capable and ambitious persons who may be ruthless self-seekers or practical idealists. When the *niti* speaks of the character and policies which kings and ministers should possess, it seeks to indicate the conditions presupposed in the stability of a just political order. Power may be seized or exercised in other alternative ways but it will be unjust or unstable. It is for this reason that the formal or accidental ways of acquiring power are not so important as the character and policies of the men who come to power. From the beginning Jaina political thought emphasized that the secret of good government lies in the government by the good and for this *Arhanniti* prescribes a norm. Herein lies its distinctiveness. It lays down the conditions which those in power must fulfil if they are to be good. "If the king and minister have the proper virtues, then *niti* functions and the enemy kept at bay." *("Nrpamatvau yadi syatam purvoktagunadhārakau Tada pravartate nitir na ca syaddvisadagamah//"*

The commander-in-chief must possess certain common virtues like an impressive and pleasing personality, intelligence, eloquence, quickness, foresight, alertness, loyalty, incorruptibility, pity, tact, courtesy and the knowledge of *sastras*. His special virtues are the knowledge of military science, military formations, diplomacy, fortifications, and terráin. He must also be intrepid and heroic. He should be an expert in the Four Means, in winning friends and dividing enemies. gaining success against one enemy through another. The teacher of the commander-in-chief must advise him to calculate the diverse factors relevant to success in war before waging it. These include military, political and diplomatic factors. The best commander is one who secures a victory for his sovereign and also saves his own life. He has, thus, to combine success and loyalty, heroism and caution. It is worth noticing that the *senapati* is required to be an expert in *yavanadilipi* and *mleccha-bhasa*. It seems to be the result of a lively contact with the Arabs and the Turks. Nor is there any reference to the *senapati* being high-born.

The general advice to administrative officials begins with the injunction that they should be well-born, efficient, patient, courageous, learned, loyal and virtuous. They are apparently required to be selected from old and well-known families. They are also required to be educated. Since they were open to temptation in the course of their work, they were required to avoid any addiction or greed. It was also necessary for them to be free from

any kind of favouritism. They were to be careful of the king's property, just, courteous and desirous of popularity. They were to avoid negligence in duty.Consistently with their duty to the sovereign, they were to avoid hurting the public. They were to promote welfare through just and proper means in consonance with the highest truth. They were not to cast a covetous eye on either the wealth of the people or the property of the king.

This is a code of conduct for the administrative officials. How was this to be ensured ? To this there are three implicit answers. In the first place they were to be selected on the basis of certain qualifications. In the second place, their work was to be supervised by the higher officials (*amatyas. mantrin)*. Finally they were to be constantly exhorted and instructed "*Evam siksa sadā deyā sarvakarmadhikarisu.*" It would be noticed that *Arhanniti* places no emphasis on any system of checks and counter-checks or on that of harsh punishments to officials. It has a great faith in the training of administrators and in the possibility of building up an adequate administrative ethos.

Coming to the *duta* he is required to be generally a Brahmana,which probably reflects actual practice or it may have been due to the rhetorical excellence of Brahmanical education. The *duta* was required to be an expert in all the languages and capable ot speaking in a sweet, sour, pungent or bitter manner. He was to be gifted with the intelligence of various kinds. These are (a) native intelligence which enables one to understand previously unknown things in a flash, (b) cultivated intelligence which results from training and is illustrated by the *Arthasastra* or mathematics, (c) intelligence arising from reflecton over experience and practice, (d) ripeness of wisdom dependent on reason. Apart from possessing these four types of intelligence the *duta* must be able to give practical shape to his intentions without delay. He should not give false encouragement to his own sovereign nor should he search for the favour of another. He should report the exact truth. Having understood the intention of other powers the *duta* must relate to the sovereign what would serve his purpose. It behoves the sovereign to give proper attention to these reports and after consulting the ministers in deliberating over the pros and cons should the king decide his course of action in the interest of the state.

A great deal of importance attaches to this deliberation what would be in the interest of the state or against it and the determination of policy on this basis. This is the sovereign's function par excellence. The deliberation has to be with the ministers and it must be secret. On deliberation depends, policy, and on policy depends public good.

Policy or *niti* is divided into three-military policy, coercive policy, and judicial policy. These three aspects of *niti* roughly correspond to the

division between military, executive and judicial functions of the state. Of these functions the first is occasional while the other two are constant. For military policy the traditional six strands are recommended for the consideration of the ruler. These should be employed according to time, place and requirement. The basic situation is that of *sandhi* which is a mutually beneficial settlement binding both parties and dependent on some interests. It may be of two kinds-sincere and insincere. The inclusion of *maya-sandhi* here is in line with the school of *real politik* in traditional *niti sastra*. If there is the prospect of faring badly in the conflict, one should conclude peace even at a loss but one should make war when one is strong. An aggresive stance should be adopted when the army is in high morale. In a condition of declining strength one should be neutral, adopting the methods of conciliation, gifts, and stirring dissensions. When the enemy appears too strong one should adopt fortification. If even that would appear insufficient, one should seek support of a strong friend. If that be not available or were to be doubtful, one should adopt the heroic posture of fighting.

Except for the last alternative there is little originality in the rest which follows the traditional analysis closely. This analysis of interstate relations, generally described in the context of the Mandala theory, may be said to be a master-piece of generalization. The history of international relations, through the ages will bear out its essential traits.

An important aspect of this theory is its attempt to avoid war by diplomatic action as far as possible. Interstate relations are conceived as a king of game in which manoeuvring for a position of superiority is the better part of the game. Event if one is forced to actual fighting, one should attempt to reduce the loss of life. It is dangerous to fight a strong enemy and it leads to ignominy one fights an obviously weak state. Where strength is more or less equally matched should be possible to substitute war by skillful diplomatic negotiations and manoeuvring.

In a war-like expedition, the king has to be accompanied not only by the commander-in-chief, but also by the corp commanders. He should also have with him the principal minister and treasurer, along with the physician and the astrologer. Apart from these, his feudatories and allies should also accompany him. This reference to feudatory and ally brings out the heterogeneity in the composition of the actual fighting force at that time. The marching troops were to have their way cleared by the report of spies and reconnoiting units. The ally should never be fully trusted. The troops should march in definite formations. Different types of formations are briefly mentioned. The marches should be continuous till one reaches the boundaries. The camping site should be carefully chosen, particularly with

respect to availability of water, fodder, grains and fuel.

The king is advised to fight in a war in accordance with principles of justice *(Niti Yuddha)*. If the enemy fights unjustly, then he should be suitably countered. Thus in war success is held to be more important than fairness at least where survival is concerned. This reminds one of the *Mahabharata* where the Pandavas wished to fight fairly but were forced to use devious means to survive in the face of obvious unfairness. Even so, the king is advised not to kill ascetics, Brahmanas, unarmed people, those who submit or take to flight or again are in obvious distress. Nor should non-combatants, the sick, children, or religious people be killed. Where the enemy does not come out to fight he should be beseiged and forced to surrender. Creating dissensions in the ranks of the enemy should be freely used. During a seige, the logistic support of the enemy should be cut off. The enemy should be alienated from his own supporters. He should ultimately be replaced by a person of his own family who would be loyal and pleased by gifts. After the victory the soldiers should be suitably rewarded. What a soldier captures of grains or cattle, would belong to him. But chariots, horses, elephants, precious stones belong to the king.

Such is the account of yuddhaniti or military policy. Its first assumption is that peace is to be preferred to war and that so far as possible one ought to seek a diplomatic victory in interstate relations. This attitude is quite different from that of applauding *digvijaya*, the restless search for power and glory through military adventure.

Another assumption is that if war must be fought against an aggressive enemy, it ought to be fought by fair methods. Unfair methods are permissible only when the enemy uses unfair methods and one's survival is at stake. A humane and civilized code is outlined for the conduct of war. The non-combãtnats are required to be spared the horrors of war. Care is to be bestowed on the sick and the disabled, women and children.

In the third place, success in war requires full information drawn from emissaries abroad and spies, careful selection of commanders, ample preparation, support of internal administration, logistics, the use of proper marches, camps and formations and finally faith and heroism. War is a game of caution and boldness, preparation and decision.

On *Dandaniti* Hemachandra begins by recalling that the Jaina *Agama* mentions seven types of it — *"Tāh syur hākāra-mākāra dhikkārāh paribhāsanam/Mandale bandhanaṁ Kārākṣepaṇam cāṅgadhaṇdanam//"*. These seven have been mentioned before. Hemacandra adds that an eighth variety has also been accepted by those versed in *niti* and

that is the imposition of fines, confiscation etc., called *dravya-danda* or monetary punishment.' *Aṣṭamo dravya-dandah svikṛto nitikovidaih".* The first three forms— *hakara, makara* and *dhikkara* are clear enough by their names. *Pribhasana* is commanding not to leave out of reproof. *Bandha* is restriction within a limited area. The next two viz., imprisonment and mutilation are again well known.

These forms of punishment are used by the rulers in two ways. Sometimes they are punishments arising in the course of litigation amongst individuals. They are also employed as means of correcting evil-doers for the sake of public security. In other words, the worst punishments may be inflicted to redress private grievances of some people against others or they may be used as a general method of coercion in order to prevent criminals who break the public peace. In the latter case the king acts on his own initiative.

The first three forms of *dandaniti* had been formulated before the first *Arhant* by the *kulakaras* on account of the evils besetting the twins and arising from the tendency of the Kali age. The remaining forms were instituted by Bharata. It will be noted that in this version Rsabha is not held to institute any form of punishment or coercion. From this traditional account of the gradual growth of the forms of punishment, Hemacandra draws the most important conclusion that *dandaniti* has to be regarded as historical — *"Tatonisciyate daṇḍanitih kaianusarini."* It is thus that other forms of punishment like *daruyadanda, jnatidanda tadana-didanda* are also included in the forms of *dandaniti.* The most general principle has been formulated thus - "Punishment should be imposed on those who deserve it in accordance with their guilt, place, time, power, expenditure, function and wealth." — *"Yathaparādhaṁ deśaṁ ca kālam balam athāpica Vyavaṁ karma ca vittaṁ ca dandam dandyesupatayet//"*

Hemacandra recommends the first three forms of *dandaniti* for purposes of reproof to the different *varnas* thus *makara* to the Brahmanas, *hakara* to Ksattriyas and Vaisyas, *dhikkara* to the Sudras. The other forms of punishment are common to all the *varnas.* However, as far women and ascetics are concerned even if they are guilty of some grave transgressionthey must not be subjected to mutilation or death. Banishment should be the maximum punishment imposed on them. If a Vaisya sells meat or tampers with the purity of gold while selling it, he deserves mutilation. If he takes away a man's life he should be punished like a thief. For destroying the life of a big animal like cow or elephant the punishement should be halved. For the destruction of small creatures a fine of 200 *drammas* should be imposed. There is a descending scale of

punishments.For killing a dog or a pig the fine recommended is two *masas*. For eating what is prohibited the Brahmana is to be given the First Amercement (*uttamasahas*) Ksattriya the middle one, Vaisya the lowest one, the Sudra one half of that . The mutilation of the tongue is recommended for those who absue the king or speak against him, or are rebellious against him, or violate the secrecy of royal counsel or embezzle public funds. For these faults the clerk writing commands the king to punish more severely. If one embezzles from a trust he should be fined eight times. If a Sudra lives as a Brahmana he should be fined eight hundred *drammas*.

On mutilation the general principle is that should be inflicted on the limb which has been specially used in the transgression. Wealth is treated as a limb in this context. If one lacks wealth to pay fines, one may be imprisoned and made to do work. The highest punishments are seizing all the property, death,banishement. mutilation and impressing with a mark.

A man was held to have the right to injure or kill an *atayin* or a dangerous assailant.This category includes not only robbers, armed desperadoes, arsonists, poisoners, those seeking to ravish ones wife or forcibly take possesions of one's fields, but also those who seek to kill old men, learned man, children, Brahmanas, pregnant women, teachers, parents, ascetics and cows. One could thus take up arms justly not only in the defence of one's own life, honour and property but also in the defence of certain public values.

Hemacandra's account of *dandaniti* shows originality as well as liberality. He admits the historical changeability of penal laws. Death penalty, especially death by diverse trotures (*citra - vadha*), was a common punishment in the ancient codes. Hemacandra seeks to reduce the scope of the extreme penalty and discards death by torture altogether. He supports the tendency to substitude physical punishments by fines, which is a mark of developed civilization. He shows special consideration for women and the religiux. The factor of caste does not vitiate the penal system recommended into any blatant injustice. Violence, theft, misappropriation and sedition are treated as the principal crimes. A definite effort is made to ban the slaughter of animals and dishonest business.

Vyavahara niti relates to the decision of legal claims made by the people. *Vyavahara* or litigation is defined as the dispute between parties putting forward contradictory claims on the same matter and seeking to prove their claims by marshalling evidence. *Vyavahara* may be religious or secular. The state is only concerned with secular disputes - *"Iha rajakarmani laukikasyaivadhikarah."*

Further, *vyavahara* may arise from suspicion on the basis of the

evidence of association with dubious persons or from the ascertaining of signs. This simply follows Narada. If a person does not wish to act with justice or wishes to act unjustly, he is sure to go to hell. This follows Katyayana.

The forms of *vyavahara* are categorized in the traditional list of eighteen subjects of dispute viz., non-repayment of debt, join venture in business, gift, inheritance, demarcation of boundaries, wages, recission of sale or purchase, relation between master and servant, deposits, unauthorized sale of real estate, injury by speech, transgression of contract, adultery, gambling, theft, forcible seizure, physical injury, relation of man and wife. This list of the eighteen *vyayahara-padas* is the same as in Manu and Yajnavalkya. These different heads get diversified by the fact that the parties to the dispute may be single or multiple.

The decisions on the disputes have eight stages. The first is that of a report lodged by acomplainant which claims a difinite relief. The second is the reply of the defendant. The third is the hearing of the claim and counter-claim by the judge. The fourth is framing of an issue by the judge. The fifth is the marshalling of arguments. The sixth is delibration or consultation. The seventh is the consideration of the force of the deposition of witnesses. The eighth is the judgement which the king delivers after hearing the full written account and taking the concurrence of the counsellors and the members of the court. The judicial officer finally reads out the judgement and institutes necessary proceedings. If hearing and framing of issues are clubbed together, the reading out of the judgement would be the eighth step. In Yajnavalkya, one may recall that only four steps of judicial process are mentioned, which are the plaint, the reply, arguments and the decision. Here they have been elaborated into eight, which is evidence of increasing formalisation.

The first step involves the drawing up of a complaint in a formal manner, where relevant details were to be incorporated in accordance with a proforma which was different for cases invloving real estate. The complaint was to be stamped by the royal seal. Complaints were to be dismissed if they were trivial, impossible, contradictory, fruitless, meaningless, or unobjectionable. An example of the last is that one may manage one's work by illumination in a neighbour's house. Similarly, the complaint must be limited to a single subject, although mixed complaints may be entertained if they are made by people coming from a different place. After the recording of the complaint, summons should be issued under proper seal but old people, children, those who are disabled or ill, or engaged in official work, or otherwise engaged in some unavoidable duty should not be summoned. Where possible those summoned may be

brought by vehicles. If necessary, even such close relations as father, brother, son, or grandson of the defendant were debarred from speaking at the court on his behalf. In the absence of the defendant, if fully authorized by him, they could depose. The defendant having seen the complaint may ask for time to reply to it, which may be allowed by the judge *putra-kalpa*. In the case of disputes over the non-payment of debts etc., time may be given from three days to a fortnight. In cases of theft, injury, violence, adultery etc., no time should be allowed. The reply may be oral or written. The complainant is finally allowed to reply again to this rejoinder. These four statements were to be placed before the judge who was to consult the jury *sapindas* and order the parties to produce witnesses etc. The jurors were to be five or seven nominated by the king. They were to be virtuous, learned, and well-born. In case the jurors deviate from justice on account of greed or enmity they were liable to be punished by the king. The judge was to order the payment of suitable wages to the witnesses according to their status. The witnesses were to be lodged separately. Suitable oaths were to be administered to them. Their character was to be taken into account in evaluating their testimony. The witnesses of the complainant were to be heard first, those of the defendant afterwards. Where the witness is accused of being a follower, friend, kinsman or debtor of the person for whom he is testifying, supernatural test or divya was to be applied. A Sudra is said to be ineligible for evidence, which contradicts the earlier rule giving the kind of oath to be administered to a Sudra witness.

If the plaintiff fails to sustain his allegations he was liable to be punished as attempting to implicate another falsely. False witnesses too were liable to be punished by fines.

From procedural law *vyavahara niti* proceeds to the substance of the legal code. Debts are said to be contracted for the unavoidable needs of the family, performance of duty, emergency, friends etc. Interest was to be paid monthly and the rate of interest differed for the four *varnas* being 2%, 3%, 4% and 5% per month, for the Brahmanas, Ksattriyas, Vaisyas and Sudras respectively. If the interest were to be paid only at the end, it was to be compounded. In case of inability to pay one was required to pay in terms of phyxical labour. If the debtor travelled to other countries, the rate of interest was to be doubled. The debts could be secured by deposits of various kinds. If the deposit could be used by the creditor, there would be no interest. It is recommended that loans should be given for pilgrimages etc. The general rate of interest was to be 2% per month. The context in which Hemacandra discusses loans is largely rural and agrarian where one pledges land, cattle etc., on account of pressing domestic or religious needs.

For details we are referred to the ***Brhadarhanniti* *sastra*.** It seems that Hemacandra's rules derived from an ancient source when the context of loans was much simpler than in the 12th century Gujrat in which he lived himself.

Laws governing the joint ventures of merchants constitute a separate section. Troups of actors, acrobats etc., are also included in this. Such companies were to form a contract by mutual agreement which was to be enforced by the state. If any member of the company was guilty of illegally taking over the money of some body in the public, the whole company was to be implicated as associated with him through consent.

If Hemacandra is briefoncompany law, he is more detailed on the law of gifts. One can gift only one s personal and exclusive property, not the property of another nor property held in common. A gift once made properly could not be resumed. If resumable it does not amount to gift. A sixfold division is proposed for gifts the price given for a purchase, wages given for work, free gift out of affection or for celebrity or for religious purposes or for some consideration. This definition of gift is obviously a very wide one. It includes payments for consideration as also free gifts out of personal, public or charitable motives. Gifts could only be to an independent person in full possession of his senses and with full knowledge of the circumstances in which the gift was being made. A rare quotation from the *Brahadarhanniti* says that if a sick man makes a gift, his son is duty-bound to respect it even if the donor dies. It was not permissible to make gifts without regard to the need of one's dependents.

Hemacandra is most elaborate on the law of inheritance. Inheritance is the transfer of the ownership of one's propertyto one's successors, which may be free or encumbered. The property may be movable or immovable. It is recommended that the movable property should not be divided or sold, except for a situation of emergency because it gives social prestige. Immovable property includes house, garden, fields, etc. In the case of immovable property, one can not make a gift if the father is alive or there is a son. Sale is similarly restricted. This restriction applies even to self-earned property where there is a son. If the parents are dead, the sons have an equal share but if they are alive, they could give it according to their will. The share in the property of the parents carried with it a share in their liabilities. Where the eldest son inherits all the property because of the immaturity of the other brothers, he has the responsibility of looking after the others as the head of the family. If there is a daughter remaining unmarried after the death of the parents, it is the duty of the sons to help her marriage by giving one-fourth of their share. A married daughter has no share in the parental property except what is given freely by the father out

of love or at the time of marriage. If one partitions the property among his sons, the wife is entitled to a smilar share. After the death of the father, the mother is entitled to half as much share as a son, since she has to carry on the relations with kinsmen. After her death, her property is equally shared. If there is a single daughter, she and her son are entitled to full inheritance.

In connection with wives belonging to different castes, different rights are indicated. The position of a Sudra wife and her children was very low. They were entitled to only food and clothes. In case of property of a Sudra, of course, the wife and the children had all the rights. It is throughout implied that marriage with a woman of the same or lower caste was permissible. This system of *anuloma* marriages is, in fact, supported in other Jaina texts also. If the husband becomes fallen, lost, insane, an ascetic, or dead, the wife became the full owner of all his wealth. In the absence of a child a man or a woman could adopt a son with the full knowledge of kinsmen and the king.

Five types of children are said to be recognised in the Jaina tradtion -- one's own, freely given by a kinsman, purchased, the younger brother and the son of the daughter. Of these, the first two are the principal sons. The other three are secondary. All these five are intitled to inheritance. The other eight types of sons which are mentioned in the Brahmanical tradition are not accepted in the Jaina tradtion. They are called *Putra - kalpa*, i.e., like a son but not a son. They are said to be debarred from inheritance and it is added that they have been imagined in other traditions merely to justify particular interests.

On the death of a person the right of inheritance is traced in the following succession -- wife, son, nephew, kinsmen who are *sapindas* son of the daughter, kinsmen till the 14th generation, kinsmen by *gotra*, kinsmen in general, the king. The king should use such wealth in charity.

Under exceptional circumstances, if the sons were of bad character and fallen from the right conduct, he could be turned out of the house after taking the consent of kinsmen and officers of the state.

Although the daughter - in - law becomes the sole heir if her husband is dead, the son-in-law, the mother-in-law and the son of the sister cannot inherit as they belong to a different gotra. The wealth given to a woman at the time of marriage or afterwards by parents, relations, uncles, aunts, elder sister, and husband constitutes *stri-dhana*. Whatever the woman brings from her parental home in the form of ornaments etc. and whatever is given to her by her in-laws at the time of her marriage, or whatever is given by her brother, or by the women of her husnand's house -- these constitute the five - fold *stri-dhana*. It belongs fully to the woman. The husband may seek help out of it in the case of some great calamity. In all these matters of

inheritance there is much variation in the regional custom which ought to be given full consideration.

Boundary disputes may relate to the boundaries of villages, fields, houses,gardens and districts. The disputes may relate to the ownership or usufruct or to the extent of rights. Ownership and use, *svatva* and ***bhoga*** are clearly dinstinguished. Disputes of boundaries were to be decided on the evidence of neighbours and officers.

Five types of servants are mentioned under the head of master-servant relationship (a) student; (b) apprentice; (c) hired labourer; (d) supervisor of labourers ; (e) slave. The last of these could be asked to perform any work including any impure work. Hired labourer was of three varieties - soldier, who belonged to the best class, farm labourer who belonged to the middle and the porter who constituted the lowest class of hired labourers. Fifteen classes of slaves are mentioned-one born in the house of a slave woman, purchased, placed as a pledge, one who has been separated from the caravan and seeks support, obtained in marriage as part of the marriage gift, brought up during a famine, captured in the war, even in gambling, one seeking to pay off a debt, one whose debt has been cancelled for the purpose, kept on food, fallen from mendicancy, willingly come for the purpose,one attracted by the prospect of marrying a woman, an orphan who sells himself. If some one is forcibly abducted, sold or enslaved, then his status as a slave is unjust and he should be freed by the ruler. Similarly, if a slave saves the life of the master, he is freed from slavery. The slave who has been pledged for a loan is freed when the loan is returned with interest. Similarly, those who have been helped in gambling or who become slaves voluntarily can all become free by similar actions. The apostates from mendicancy should be forcibly enslaved by the king. Hemacandra also adds that slavery should be along the caste order not against it, namely, a person of a higher caste can be a master of a slave of lower caste but not vice versa. A procedure has been laid down by which one can manumit a slave at will.

The master is required to give wages according to the work of the hired labourer as determined before the work, during it, or at the end of it. If the wages have not been determined then the king should make the master give one-tenth. A quotation from the *Brahadarhanniti* says that where wages have not been previously decided, ten percent of the gain from farming, trade or animals are to be given to the worker. Where one employs the wealth of the master freely in trade, one is to be paid a salary as the master decides. Where the work is done by several cooperatively, each is entitled to the wages, in accordance with his own work, as may be customary. If the labourer receives wages but does not work, he is to be fined twice the amount. If the porter destroys the goods by negligence, he is

liable to pay the cost. For any delay or departure from the time-table too he is liable to be fined, if there is no adequate reason. On the other hand, if the master discontinues the porter midway then he is liable to pay the full wages.

On the subject of the recission of sale and purchase, we gather that for the purchase of female slaves, cows, seeds, beasts of conveyance, jewels and men slaves a certain time was allowed for trial. In general the buyer could return the article purchased on the same day provided it was unspoilt. On the second and third days the goods could not be returned. If the purchase follows a proper examination, no recission of sale was permissible. In the testing of gold, silver etc., a certain percentage of loss was admitted as valid. The proportions in which fabrics of different kinds shrink or expand are said to have been listed in the Jaina *Agama*. Various rules are laid down for situations where cattle damages crops, or where cattle is lost owning to the negligence of the employees looking after it. The surrounding of villages and towns were to be carefully protected so that neither did property suffer from cattle nor the cattle for lack of grazing.

The law of deposits relates to a kind of banking. If a person has no children or they are no good one is forced to make arrangements for the security of the family. For this reason and for fear of theft, if one is not able to manage one's own wealth, or if one proposes to go on travel, one may deposit one's wealth with a truthful and virtuous person, which may be with or without interest. If there is a dispute between the parties,the state would intervene. Such deposits are called *ankisepa*. If a person places his goods with someone else under his own seal, this is called *upnidhi*.

Irregular sales are to be carefully regulated. If one sells without title, one is to be punished like a thief. If one buys valuable things from a poor man for a small sum secretly or beyond normal hours, the buyer was again liable to be punished as a thief. The seller is required to be able to show where he got the commodities he is engaged in selling. If one finds goods lost or stolen, the officers must be informed.

Injury through speech implies the moving away of awareness from its normal purity and the causing of pain. Even truthful speech which causes pain should be avoided. The punishment for harsh speech varies according to caste. For example, if a Ksattriya abuses a Brahmana in as thief he should be fined hundred *mudrikas*, for abusing a Vaisya the fine would be half while in case of Sudra it would be only twenty. If a Brahmana abuses a Brahmana or a Ksattriya the fine would be forty *panas*, for abusing a Vaisya. he would be fined twenty-five *panas*, for abusing a Ṣudra he would be fined only ten *panas*, If a Sudra abuses a Brahmana he would be punished by beating etc., for abusing a Ksattriya or a Vaisya or a Sudra he

would be fined hundred, fifty and twenty-five *panas* respectively. If one proceeds to lecture on *dharma* without being eligible for it, he would be fined hundred *panas*. For discourteous speech to teacher, father, mother, kinsmen, a lady or spiritual teacher, one is liable to be fined upto two hundred *panas*.

The constitution of corporation etc. is called *samaya*. Acting against it can lead to dispute. It beholds a member as well as the king to protect the laws of corporations without disregard for *savadharma*. The laws of the state and the laws of the corporations are both called conventional and their transgression is punishable. If somebody misappropriates common property or acts against the laws of the king or the *gana* then he is liable to be banished after losing all his property. Common property means the property of any corporate body like the village etc. Within the corporation it behoves people to accept the voice of one who speaks in the interest of the common good. Those who donot do so should be punished. This is supported by a quotation from the *Brhadarhanniti*. If the members of the corporation approach the king he should quickly do their work and let them go after proper courtesy. What these representatives gain from the king, that they should themselves report to the collective body. The corporation, should appoint virtuous, talented, efficient and learned persons to act as their executives. They should in turn be listed to with respect. The corporations may be of merchants, craftsmen, mendicans, soldiers etc.

Adultery needs to be firmly curbed because it leads to varnasankara. The destruction of *varna* leads to decline of *dharma*. The severest punishment of multilation is prescribed for illegitimate connection with a Brahmana woman. The Brahmani was to be banished. If a Brahmana has conection with a Ksattriya woman then both are to be banished. It is to be noticed that mutilation is prescribed only for violating a virgin of the upper castes or illicit connection with a Brahmana woman by a man belonging to a lower caste. For the rest there are various grades of fines or banishment. In no case is a woman to be subjected to physical injury or punishment.

Gambling may be through gaming pieces or through fights arranged between animals, birds or athletes. Sometimes the gamble is with inanimate things. It is called *dyuta;* when it is with animate beings then it is called *samahvaya* i.e., a challenge or a match. Gambling halls were apparently regulated by the state. It would be preferable if gambling were done in places directly controlled by the state. Those who gamble privately and secretly they must pay double the fee to the state.

It is obvious that Hemacandra cannot help recognising the widely prevalent custom of gambling from which the state regularly profited.

Nevertheless, he admonishes against the practice. But this is a moral advice he does not propose a law abolishing gambling.

Protecting people against theives is a prime duty of the king. He must ensure a sense of security among the people which is the highest from of charity. The happiness of the king depends upon that of the poeple for which normal order must be maintained. The king obtains one sixth of the virtue acruing to the people. It is this that prevents public calamity. Protecting the good and curbing the wicked, the king becomes renowned. On the contrary, if he imposes taxes out of greed or on petty matters he will certainly go to hell. If he is able to stop and imprison thieves and rogues in accordance with proper justice he would go to heaven. The king should be tolerant towards the people and forgive the harsh words of children as well as the sick and the very old.

If one steals clothes etc. from near a well he should be lashed and banished. if one steals grains from the field he should be forced to pay ten times and be banished. For the theft of precious metals, ornaments and costly clothes the thief should be imprisoned for three years. If the thief gives back the goods he should be imprisoned for one year. For kidnapping a child or a girl or for stealing jewels the thief should be imprisoned for three years. For a repetition of the offence the punishment should be doubled and he should be put in a dark cell. In the first case he was to be released on some one's assurance, in the second case on a written guarantee. Those who steal books of the *sastras*, medicines, cows, and horses were also to be imprisoned. If one breaks into a house by digging a trench and steals by force he was to be forced to dislodge the wealth and banished from the town. Those who help thieves and give them shelter too deserve to be punished. If a thief is armed and about to assault one could use violence against him.

Sahasa is an aggression committed in anger and is of three kinds. The punishments for the three grades of *sahasa* are in terms of fines. The first grade is deserved by those who destroy fields or dams. The middle grade is indicated by the theft of young girls and ornaments. The top grade corresponds. to adultery by force or murder for ornaments. In such a case confiscation of all the property, mutilation, branding, banishment and death are indicated. For the forcible seizing of another's property one was liable to make restitution which would be double the value of the goods robbed. For those who insult respectable people, torment their brother's wife, do not deliver messages, break locks, tamper with boundaries, a fine of hundred silver coins is prescribed. If some one takes a false oath or being a *candala* touches some one of the upper caste, neddlessly fights with good

people, eats up the food offered to gods, and manes or if a widow behaves in unstrained manner, they should be fined ten rupees, expelled from the *jati* and allowed to enter it again only after *prayascitta*. For the use of false weights and measures serious punishment was to be given. For those who claim to be physicians without being so, graded punishment was provided, the highest being given to those who practice quackery in royal houses. Those merchants who combine to raise prices are to be punished seriously. If one mutilates someone else, he was liable to similar mutilation and banishment. One was to be punished by fine for inflicting injury leading to the flow of blood. The man responsible for infliction injury was to pay for the treatment of the injured also. It the driver of a vehicle otherwise. It is curious to read detailed rules about road accidents in Hemacandra. It suggests narrow roads and brisk traffic at least in and near the city.

On the relations of man and woman,Hemacandra expresses traditional opinions. The wife should worship the husband to whom she has been given by her parents. etc. even if the husband is of little worth. The husband too must take care of the wife with sweet words and solicitude.He repeats Manu's well known dictum, *Pita raksati : Kaumare'* etc., concluding *'stri svadhana bhaven nihi'*. But the woman must be protected from all kinds of misbehaviour. Her principal duties are serving the husband, producing children, looking after children and household work; women should not go alone to festivals, threatres or market centres. On the other hand, men should avoid acting against their faith or the state or against social practice even if there may appear to be some profit in it.

Perhaps as an echo of the *prayascittadhyaya* of the *smrtis*, Hemacandra has a section on *Prayascitta*. The actions deserving expiation include entering in the homes of Candalas, Yavanas and Mlecchas, Kiratas, and leather-workers, sexual connection with prohibited persons, living with the Mlecchas in their country, marrying among them, causing the destruction of life etc.The modes of expiation are in terms of fasts, pilgrimages, gifts to holy persons etc.

For Hemacandra, thus the three main functions of the sovereign are to defend the country against agression fron abroad, coerce the unruly not to disturb the public order, and dispense justice. The last of these or *vyavahara-niti* has been described by him in relatively greater detail. He has described the procedure of judicial administration and also given in summary form a code of laws regulating domestic and business life. He accepts the traditional caste order with its privileged class of Brahmanas and underprivileged Sudras. But his account is free from the exaggerations of the Brahmanical *Smrtis*. There are no religious disabilities on the

Sudras, *anuloma* marriages are permited, professions are not categorized along caste distinctions. Nor is learning, teaching or receiving gifts confined to the Brahmanas. The ascetics and mendicants are everywhere on par with the Brahmanas. Untouchability is, however, recognised but it is not the source of any severe punishments.

The system of punishments which Hemacandra prescribes is mild and humane. Capital punishment is hardly referred to. There are no tortures of any kind. Fines are the usual mode of punishment. Even theft which till the 18th century was a capital offence in most part of the world, is punishable by a mere three years of imprisonment. The ruler is required to reimburse those who have been robbed.

The law of contracts and corporations recognises their thriving condition. Corporations are mini-republics and put at par with the king as far as the authority of their constitution is concerned. Guilds, villages and monastic orders are examples of such self-governing institutions.

The ruler is constantly exhorted to be mild and regular in taxation and to avoid all kind of harrassment of the people. Although the *samantas* are mentioned as a constituent of the armed forces, they play no part in administration or in the structure of laws or property.

The ruler is asked to be just and humane and devoted to the public good. He was to rely on learning and advice and seek consultation. No emphasis of any kind is placed on the personal aspect of sovereignty. It is not something to be enjoyed by aggrendizement or exactions or lavish expenditure. It is primarily a matter of public duty, a form of moral life.

Hemacandra follows the Jaina tradition but recognises existing social reality. His *Laghavarhanniti* is not addressed specifically to a Jaina king. It presents what would have been generally acceptable in those days but tempers it with the wisdom of Jaina tradition. That Kumarapala, his patron, however, came to accept the Jaina faith and Hemacandra's advice to him in a more strictly Jaina context may be seen in his disciple Somaprabha's *Kumarapala-pratibodha* which seeks to give an account of the master's instructions to the king. The work was composed in A.D.1195 only 11 years afer the death of Kumarapala. The author says, "Although the life-story of Kumarapala and Hamacandracarya is very interesting form other points of view, I am only desirous of telling something in connection with the instruction in Jaina religion alone". While *Arhanniti* speaks of matters of general political interest, *Kumarapala pratibhoda* concentrates on advice contigent specifically on the Jaina faith. In this sense the two works may be said to be complementary.

According to Somaprabha, Hemacandra persuaded Kumarapala to adopt the rule of compassion on all living creatures, which was an almost

impossible achievement in the *dhusama* age.Kumarapala had owed his throne to selection by the principal person *(pradhana-purusas)* at the court, who had been impressed by his capabilities. Having become a successful ruler Kumarapala developed religious enquiry in course of time. He felt dissatisfied with the sacrificial religion of the Brahmanas and listened to Hemacandra who was introduced by Vagbhatadeva. In the first place Kumarapala accepted the rule of *jivadaya*. He not only renounced all meat himself but issued a proclamation that no animals were to be killed. This was called *amari-pataha* in the Jaina tradition from early days. In the second place he was advised to give up gambling which the king forbade in the kingdom. He also gave up drinking and discontinued the practice of escheat by which the kings used to resume the wealth of certain categories of the dead despite the wailing of women. This used to be called *rudati-dhanam*. The new comapssionate regulation was hailed as a great innovation. The king took up the worship of the Jina in earnestness and caused many temples to be erected. He also engaged in pilgrimages to famous religious places.

After *jiva daya* the king was instructed in the virtue of charity *(dana)*. Knowledge is the supreme virtue for which a tradition of students and scholars is required. To provide those engaged in the pursuit of knowledge with their material necessities also amounts to participating in the gift of knowledge *jnana-dana)*. Similarly to protect the lives of living creatures and save them from being killed is a the 'gift of security' *(abhaya-dana)* one who gives such a gift to others is freed from fear in his own life. Charity may consist in the gift of food, drink, clothes, dwelling, furniture, etc. It has to be pure in four dimensions – the giver, the recipient, occasion, and attitude. The giver should be enlightened and of firm faith not seeking any personal gain and without any pride. Gifts to the ascetics are best but one should not give them wealth and land. The pure recipient is passionless, disciplined, detached, engaged in study. What is given must be obtained piously and the recipient should also be pious. What is the useof washing clothes in blood or giving milk to snakes. The proper occasion of charity is when the ascetic needs it physically. The proper attitude of charity is that of gratefulness and personal disinterest.

Since the acceptance of royal charity was forbidden to Jaina monks and Hemacandra refused to accept alms from the king, the latter decided to distribute free food to lay followers or *sravakas*. The king opened a charitable establishment *(sattragara)* with halls for eating *(bhojana-sabha)*. He also built a place for religious observances *(Pausadhasala)* and put the *sresthin* Abhayakumara in its charge. Here food and clothes

were given to *sravakas* and even money was given to help them maintain their families.

The king was then advised on avoiding sensuality and practising austerities. He was instructed on the twelve *vratas* desisting from destroying life, falsehood, theft, adultery, acquisition, restriction of space, enjoyment of different kinds, inflicting purposeless injury; practising meditation and worship, *desavakasika* *pusadha*, and sharing with guests. Following this the king was finally advised on the conquest of the inner passions of *kasayas*. The king who had acquired sovereignty by the force of arms and conquering others was, thus gradually led through the change of public policies and personal conduct, to the final conquest of the enemies within. "The fame of the king dances over the world since he proclaimed the gift of security of life to all creatures .... He prohibited seven addiction including gambling and drinking. All over he erected Jaina temples which like armed guards prevent the occurrence of all calamities ...... We bow thrice a day to the incomparable power of instruction of the wise Master Hema who though devoid of suprasensuous knowledge was still able to enlighten the king Kumarapala and falsified the common belief that kings cannot have compassion on being." If the *Arhanniti* describes a practicable ideal of kingship in general, in *Kumarapal-pratibodha* we find the description of an ideal Jaina king.

VII
CONCLUDING REFLECTIONS:
The Relevance of Jaina Political Thought

From the foregoing survey it would seem to emerge that despite the philosophical originality of the Jaina tradition, when Jaina thinkers of the classical age turned to the consideration of specifically political problems the horizons of their thought tended to be limited by the actual political conditions then obtaining and the widely prevalent common conceptual framework of the *niti* tradition. Thus, what thinkers like Somadeva and Hemacandra did was to largely adapt and reform a more or less common tradition of political thought. The sharp originality of the Agamic age tended to be obscured by the broad eclecticism of the classical age. Indeed, modern interpreters tend to identify Jaina political thought with the ideas of the *niti* works and seeing only an ethical point of view in the *agamas*, disregard them for purposes of reconstructing the history of Jaina political thought. Thus the most vital aspect of the Jaina tradition tends to be obscured.

One consequence of this course of historical development was that the relativistic logic of Jaina philosophy was not explicitly sought to be applied to political questions. This is a lacuna which modern Jaina thinkers need to fill and it is bound to be of great consequence from at least a methodological point of view. All sciences which seek to understand human behaviour have to face its puzzling reality. It seems to be the focal point of scarcely concealed contradictions. Subjectivity and objectivity, natural impulses and moral idealism, predictable habits and spontaneous creativity, all seem to meet and mingle in human behaviour and motivation. Diverse metaphysical points of view stressing freedom or determinism, transcendental being or socio-psychic becoming have been formulated through the ages and have directly or indirectly influenced methodological and axiological assumptions of different systems of political thought. Now Jaina philosophy recognizes that any real entity has an infinity of aspects, that one may discuss them on it from a number of different points of view, and that the truth of judgements is limited by the point of view which underlies them. Jainism thus seeks to avoid the monistic absolutism of *Vedanta* on the one hand and the pluralistic particularism of Buddhism on

the other. However, while the metaphysical applications of Jaina dialectic are well known, its application to the area of political theory is still a task to be accomplished. It may be recalled that the connection between metaphysics and politics has to be through ethics where Jainism presents a long tradition of acute thinking.

That politics cannot but be a province of ethics, is an essential implication of early Jaina thought. The quest for liberation requires the transformation of the whole of life. Without right behaviour there can be no inner tranquillity, illumination and liberation. Whether the area of behaviour is political or economic or personal, the same basic principles need to be applied. Business ethics can only be the behavioural norms of an ethical person engaged in business just as political morality can only be the mode of action of a moral person in politics.

Doubtless there are technical aspects to business and politics which are non-moral in nature. Nevertheless such aspects must at some point touch human ends and persons where their use would cease to be non-moral. An overemphasis on technicality is, in fact, a standing danger to politics and strengthens the delusion that holistic and spiritual considerations may be disregarded for immediate or tangible results.

The task of political thinker requires that he should join empirical understanding with moral insight, *niti* with *dharma*. Agamic thought formulates the essential principles of *dharma* which being transcendental are perennial, as valid for the times of Mahavira as today. *Niti* is doubtless eleborated in a series of texts but then the detailed formulations of *niti* being dependent on historical experience have changed through time as they are bound to require change now. It is only the psychological principles of *niti* as prudence which are of lasting value. However while the voice of prudence like that of moral reason is perennial, there is a difference. Moral reason is a kind of bridge between the psychological and spiritual realms of being. Both of these realms are perennially given in the same manner. Prudence, on the other hand,has a psychological as well as a socially rooted value-component and the latter changes historically. It is because of their dated socio-historical context that the old *niti* works evoke little enthusiasm among those interested in contemporary problems. Nevertheless, although needing reformulation in terms of new institutional conditions the basic principles of *niti* too cannot be said to have wholly lost their relevance and validity.

At the practical level moral and spiritual life presupposes a social order which would ensure the security of life and the means of livelihood as also the opportunity of participating in an educational tradition in the widest sense. For the maintenance of this order *niti* lays down means the chief of

which is the proper use of force *(danda)*. The maintenance and promotion of public order and welfare, thus, constitute the basic ends within the structure of *niti*. The exercise of authority or just force constitutes the essential means. Public order is conceived in a comprehensive sense, material as well as moral. Justice is conformity to laws which are given traditionally. Power presupposes socially given modes of organisation and springs from efficiency, morale and leadership. These, again, depend on aptitude and training knowledge and habitual skill. The acceptance of a traditional social system is inbuilt in the structure of *niti*. It is this conservatism which despite the rational and utilitarian outlook of *niti* towards organization and policy separates it from modern thought.

Niti, however, is a viable perspective on public administration and diplomacy considered in their essential aspects. It is true that *niti* is neither utopian nor experimental in outlook. It does not regard man as a mere bundle of social relations, nor human life as another name for collective history. It does not regard the state as endowed with Messianic charisma nor money as the measure of man or the basis of social stratification. It does not regard the untutored will of the multitude as *vox dei*. It does not regard the government and its laws as the expression of mere fiat, however broadbased. Nor does it envisage the state as engaged in the task of altering the structure of society constantly to suit the convenience of those who happen to have acquired unaccustomed wealth or have organized themselves powerfully enough to challenge the might of the government. It would seem, then, that the conservatism of *niti* is not the result of mere simplicism or lack of thought but is rooted in sharp contrast to some aspects of the prevailing modern outlook.

If we reflect over this contrast of outlooks we shall be faced with basic moral questions. Behind *niti* lies *dharma* which deprecates violence, competitive interests and acquisitiveness. For the sake of their true happiness and welfare men must learn to limit their wants, interests and possessions. Doubtless the ideal values of *ahimsa, samata* and *aparigraha* stand in contrast to the natural tendencies of the average man who is moved by the impulses of aggressiveness, self-interest and acquisitiveness. Now, should political science take such a natural man to be ultimate for its purposes and merely seek to devise means of conferring maximum success on the more ambitious of such individuals, classes or nations? If this be rejected, will not political science be required to devise means for regeneration of mankind through its re-education?

This re-education cannot be simply intellectual and scientific. It must be a re-education of natural impulses, the inculcation of a coherent order of

values ultimately centering in the spirit. In other words, it must be moral education which consists in leading men to acquire a new self-knowledge in which they and others figure as spiritual beings of the same essential nature. If they were to regard themselves as merely natural beings, their inequalities and differences would be absolute and none would be anything except a means for another. Inconsistently enough, even naturalistic thinkers seek a way of limiting human strife through the setting up of a public order which would rest on mutual convenience and force. Such attempts, however, inevitably beg the question. How can a stable order be created unless there were an eseential factor annulling atleast partly the separateness of merely natural beings? This can only be the recognition of another as a self. The perception of social reality or *loka* is thus necessarily joined to the perception of the self or *atma*. What joins the two is the process of action or behaviour *(kriya)*. That is why the *acaranga* characterises the *nirgrantha* as *atmavadi, lokavadi* and *kriyavadi*. Now action may be right or wrong, leading to liberation or bondage and the ideal principle in this context is that of *ahimsa*.

The conception of the self as a spiritual being is, thus, the basic postulate of the conception of *Ahimsa* which in turn is the principle on which any just and peaceful order can be founded.

It would be obvious from this that the mere establishment of a political order however efficient and powerful is not tantamount to the establishment of a just and peaceful human order. The state uses force and can never cease to be evil though it may be a necessary one so long men are not spiritually enlightened. It is only the awareness of an ideal moral order and its intense urgency that can make one realise the limitations of merely political order. If saints like Mahavira and Buddha, Jesus and Gandhi were not to be available, men would tend to worship the state or perhaps Mammon. Instead, therefore, of despising spiritual and moral philosophy as irrelevant to political science, one has to realise that the only hope for political science lies in its being viewed in the light of such philosophy.

NOTES

LECTURE — I

1. Cf. Weldon, *The Vocabulary of Politics*, p.142
2. Foreword to Dr. Beni Prasad, *Theory of Government in Ancient India*.
3. Beni Prasad, *op.cit*.
4. *The Wonder that was India*.
5. U.N. Ghoshal, *A History of Indian Political Ideas*, p.3.
6. Coomarswamy, *Spiritual and Temporal Power in the Indian Theory of Government*. Prof. A.K. Saran first drew my attention to the great significance of this book.
7. Hockart, *Kingship*.
8. Cf. Jacobi, *Studies in Jainism* (pt. I) ed. Jina Vijaya Muni, P.12.

LECTURE — II

1. Beni Prasad, *op.cit.*, pp. 228-29.
2. Cf. G.C. Pande, *Studies in the Origins of Buddhism*, p. 326.
3. *Ib*. pp. 321 ff.
4. Rite and 'right' are fused in the conception of *rta* which was the precursor of that of *dharma*.
5. cf. Ghora Angirasa's sermon to Krsna Devakiputra in the *Chandogya* : The idea is repeated and stressed in the *Gita*.
6. see Coomarswamy, *op.cit.*, pp. 50 ff.
7. *Ib*. 1.c.
8. *Ib*. p. 2 fn.
9. Cf. *Studies in the Origins of Buddhism*, pp. 295 ff
10. *Manusmriti*, 2.2
11. *Brhadaranyaka*, 1.4.11; cf. *Anguttara* (P.T.S.) I. 109.
12. *Mimamsasutras*, 1.2; also *Sabarabhasya*, vol. I pp. 1-18 (Anandasrama ed.)
13. Cf. G.C. Pande, *Sramana Tradition*, pp. 63-64.

14. Cf. Hemachandra's *Arhanniti*, 1.19.
15. Cf. Malvania, *Agama-Yuga Ka Jainadarsana*, pp. 128 ff.
16. Cf. Nathmal, *Jaina Nyaya Ka Vikasa*, pp. 34-35.
17. Cf. *Sramana Tradition*, pp. 52 ff. .
18. Cf. Hopkins, *The Social and Military Position of the Ruling Caste.*
19. Cf. *Manusmrti*, 1.93 ff.
20. *Uttarjhayana*, 9th adhyayana
21. *Ib.* 20th *adhyayana.*
22. *Ib.* 12th *adhyayana*
23. Cf. *Dasaveyaliya*, 3.3; *Thanamga*, 5.101.

LECTURE — III

1. Cf. *Saravadarsanasangraha : carvakadarsanam; Saddarsanasamuccaya*, pp. 450 ff.
2. *Nandisutras*, sutra 41.
3. *Anuyogaduara*, sutra 42.
4. Cf. *Ayara*, 1.1.5. "*Se ayavai, logavai, karmmavai, Kiriyavai*".
5. *Tattvarthadhigamasutra*, 7.20.
6. *Thanam*, 3.89.
7. e.g., *Ayara*, 1.6.119-20, 3.1. 19-20 and *ad lib.*
8. Cf Redfield, *The Primitive World and its Transformation* (Cornel, 1953); G.C. Pande, *Meaning and Process of Culture*, p. 54ff.
9. Cf. Comy (*vrtti*) on *Thanamga*, 5.101, quoted *Thanam* (ed. and commented, Ladnun, 1976), p. 626.
10. *Tattvarthadhigamasutrabhasya*, 7.22.
11. Cf. J.C. Jain, *Life in Ancient India as Depicted in the Jaina Canon*, pp. 61-62.
12. *Ib. 1.c.*
13. *Nisithabhasya-gatha*, quoted *Thanam*, 1.c.
14. Quoted *Dasaveyaliya* (Ladnu, 1974), p. 366
15. *Thanam*, 10.135-36.
16. *Aitareya Brahmana* VIII. 14.
17. *Brahadaranyaka*, 1.c.
18. *Ayara*, 1.7.
19. *Ib.* 2.1.3.
20. *Ib.* 2-2-40.
21. Many tales of good and bad kings occur in the canon e.g. in *Vipakasruta*.
22. *Avasyakaniryukti* (verse, 1046) identifies *samaya* and *sammatta*

(quoted, *Ayaro*, pub. Ladnun, p. 124). cf. Acarya Tulsi, Preface to *Ayara*, pp. 13-15.

LECTURE — IV

The account of Jaina Puranas is principally based on *Harivamsa Purana* and *Adipurana* (2 vols). Their Jnanapitha editions have been used here.

1. Cf. Hazra, *Studies in the Puranic Records on Hindu Rites and Customs*.
2. Cf. Winternitz, *History of Indian Literature* Vol. II, pp. 489 ff.
3. Cf. Pargiter, *Ancient Indian Historical Tradition*.
4. Winternitz, *op.cit.*,
5. *Adipurana*, 3.39.
6. Cf. *Thanam* (Nathmal), pp. 765-66.
7. Cf. J.C. Jain, *op.cit.* p. 250.

LECTURE — V

The account is principally based on Somadeva's *Nitivakyamrta* (Varanasi, 1972) and his *Yasastilakacampu* (2 vols. Varanasi, 1960).

1. A.D. Pant, Introduction to Dr. Beni Prasad. *Theory of Government in Ancient India*.

LECTURE — VI

The account is principally based on Hemacandra's *Laghuarhanniti* (Ahmedabad, 1906), and Somaprabha's *Kumarapala-pratibodhah*.

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